THE CLERGY-MAN's *Vade Mecum.*

PART II.

Containing the

CANONICAL CODES

Of the *Primitive*, *Universal*, *Eastern*, and *Western* Church,

Down to the Year of our LORD, DCCLXXXVII.

Done from the Original *Greek* and *Latin*, omitting no *Canon*, *Decree*, or any Part of them that is Curious or Instructive;

With Explanatory *Notes*, a large *Index*, and a *Preface* shewing the Usefulness of the Work; with some Reflections on *Moderate-Nonconformity*, and *the Rights of the Church.*

Πείθεσθε τοῖς Ἡγουμένοις. Heb. xiii. 17.
Θεσπίζομεν τάξιν νόμιμον ἔχειν τὰς Ἐκκλησιαστικὰς Κανόνας. *Novel. Imp. Justinian.* 131.

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ERRATA in the General *Preface*.

PAge i. Line 21. dele *has*. p. xxxiii. l. 3. r. *Thirdly to ſhew*. p. xlv. Marg. r. כרן p. xlvi. r. *ſeem*. p. li. l. 20. r. *Judges*. p. lviii. l. 30. r. *quadam*. p. lxi. l. 30. r. *Barſabas*. p. lxxix. l. 17. r. IV. *My Fourth End* .p. cx. l. 28. r. *by Strives*.

In the *Text*.

Can. Nic. 2. l. 2. r. *Eccleſiaſtical Canon*. ibid. 7. l. 1. r. *Metropolis*. Can. Eph. 7. l. 5, 6. r. *if they be Biſhops or Clergy-men*. Can. Athan. 3. l. 13. r. *Eudoxius*. Can. Baſ. 40. l. 1. r. *She that being a Slave gives herſelf*, &c. Can. Baſ. 74. l. 2. r. *the Biſhop*. Can. Trul. 3. l. 4. d. (:) *after Emperor*. ibid. l. 13. r. *or that being Prieſts, Deacons, or Sub-deacons have married after their Ordination*. Can. Trul. 80. l. 4. r. *if a Clergy-man*. Can. Trul. 83. r. *the 18th African*. Can. Trul. 99. l. 7. r. *when they are not in the Church*. Can. Trul. 20. r. *to his See*. Decr. of *Siricius* l. 6. r. *the Synod*. Decr. of *Siricius* I. beginning *Incontinent*, ſhould be numbred 6. the next 7; 8. Decr. *Innoc*. 21 r. *7th of Siricius*. Decr. of *Boniſ*. 2. r. *if Boniface die*.

In the particular *Prefaces* and *Notes*.

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THE PREFACE.

IN the former Part of this Work I have given an Account of *the State and Conſtitution of the Church of* England: In the following Volume I preſent my Reader with a view of *the State of the Church Univerſal*, down to the latter end of the VIIIth Century. Here I ſhall ſhew,

Firſt, The Uſefulneſs of this Work. *Secondly*, The Manner in which I perform it.

I. The Uſefulneſs of it will appear from the Ends which may hereby be ſerved, which are,

1. To give the Reader a true Scheme of the Government and Diſcipline of the Ancient Church.

2. To prove that the Church as ſuch has all along been Govern'd by it's Paſtors.

3. To ſhew what Order of Paſtors it was that has Govern'd the Church.

4. By this means to Vindicate the Conſtitution of our own Church, and to ſhew

that our Diſſenters are Men by themſelves, in the Method they take of Forming and Governing their Churches. And

5. That by looking into the Ancient Policy of the Church, we may the better underſtand our own, and have ſome Rules whereby to govern our ſelves in dubious Caſes.

1. I give the Reader a Scheme of the Government and Diſcipline of the Ancient Church, in the moſt juſt and natural Method that it can be done, that is, by Tranſlating thoſe Laws, or Authoritative Rules, by which all Orders of Men in it were to regulate their Practice. I have often thought, that we could not have a more faithful Hiſtory of our Nation, than by a good Edition of our Statutes ſo far back as they go; with Annotations, giving an Account of the occaſion of making every Act, and Explaining all the difficult Parts of it: And ſuch a Hiſtory as that would be of our Kingdom, the ſame is this of the Church of Chriſt, for the firſt Ages of it, and ſo far downward, as it reaches. From hence you may learn, the Succceſſion of the Governours, the ſeveral Wars, Fewds, and Diviſions, the Temper both of Rulers and People, the Cuſtoms, Manners, Vertues and Vices of thoſe Bodies of Men, for whom the Laws were made; and the Bounds of Authority belonging to the ſeveral Governours and Officers thereof. And if we have in us a natural deſire, and feel a ſe-

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cret pleaſure in hearing and Reading the Antiquities of our own Country, how much more will all, that love the Religion and Church of Chriſt *Jeſus*, be affected with an impartial and genuine Account thereof, not as Recorded by ſome one ſingle Hand; but by numerous Aſſemblies of Men, who did beſt underſtand theſe Matters.

Much indeed has been Written in our Tongue concerning *Primitive Chriſtianity*: yet the Canons, whereby the Ancient Church was Govern'd, were never Publiſh'd in this Language ſo entirely as in the following Volume. For even in the Voluminous Works of *Du Pin*, the *Apoſtolical Canons* are wanting; and tho' the reſt are to be found there, yet ſo much Abridg'd, and ſometimes with ſuch plain Miſtakes, that the Learned Reader who has opportunity to compare his Tranſlation with the Original, will eaſily be convinced, that in this particular, that moſt Learned Man has left room for the diligence and improvements of others. And he who compares his Abridgment of *Can. Ancyr.* 21, 22, 23. *Laodic.* 18, 45, 46, 50. *Eph.* 6. with the *Greek*, will clearly ſee, that his Contraction of thoſe Canons needed a review: But this is no where more viſible than in the *Trullan Canons*, particularly the 41. which is thus repreſented by *Du Pin*, viz. *That thoſe who will be Recluſes, or Anchorets, ought to have been Three Years at leaſt in a Monaſtery:* where

he ſcarce gives half the Senſe of the Canon; the ſame may be ſaid of the 68th, which he thus renders, *It forbids burning, tearing, or giving to Victuallers, the Books of the Goſpel, if they be not quite ſpoiled:* But I think the 82d is ſtill more defective, or rather miſrepreſented, *viz. It approves of the Pictures in which Chriſt is painted in the form of a Lamb.* The inquiſitive Reader, till he have opportunity to conſult the Original, may in the interim look into the Tranſlation here offered him, and truſt to it, till he finds himſelf miſ-guided by it, as I hope he never will. I pretend not to Infallibility; but I can with ſome degree of Aſſurance ſay, that in theſe, and many other particulars, I give the Senſe of the Canons more faithfully than he has done. I can't but obſerve one faulty Tranſlation of a Canon that never was inſerted into the Codes; 'tis the 23d of the Council of *Carthage*, held *A. D.* 397. which with him ſtands thus, *They who have compoſed private Prayers ſhall not make uſe of them till they have conferr'd about them with Clergy-men of good Learning.* The *Latin* Words are, *Quicunq; ſibi preces aliunde deſcribit, non eis utatur antequam cum inſtructioribus Fratribus contulerit*; which I ſuppoſe ought in juſtice to have been turn'd, *Whatever* [*Biſhop*] *tranſcribes Prayers from* [*Books*] *belonging to other Places, ought not to uſe them, till he have conferr'd with his more Learned Brethren.* 'Tis not credible, that Clergy-men ſhould preſume to Tranſcribe

ſcribe Prayers from the Books of other Churches into their own, unleſs it were at the Command of the Biſhop. Nor were Clergy-men to uſe any Prayers at all in the publick Congregation; this was peculiar to Biſhops and Prieſts, who are rarely called Clergy-men in the Ancient Canons. Nor is it probable that the Prieſt, who could not officiate without the Biſhop's Conſent, ſhould dare inſert a Prayer into the Liturgy without his Leave; therefore it muſt in all reaſon be meant of Biſhops, who, tho' they did not, unleſs upon extraordinary Occaſions, uſe *to compoſe Prayers of their own*, as *du Pin* would have it, yet might perhaps ſometimes be better pleaſed with the Liturgies of Neighbouring Dioceſes, than thoſe uſed at home.

II. A Second End which I propoſed to my ſelf in this Work was, to give a clear Proof that the Church of Chriſt, as ſuch, has all along been govern'd in Externals by its Paſtors. If theſe Laws were made by Paſtors, and executed by them, of which he that reads them, and does in any meaſure know the Hiſtory of thoſe Ages cannot doubt, then no more need be ſaid to prove that during the Ages that theſe Canons were framed and put in Execution, the Government of the Church was in the main adminiſtred by its Paſtors. If any Man, or Body of Men can prove a Preſcription to any Eſtate or Power of half ſo long a ſtanding, they will think it the

greateſt Injuſtice for any others to attempt to deprive them of it.

Let it not be ſaid, that this was an Uſurpation made upon the People by their Paſtors, who took advantage of their Ignorance; for during the greateſt Part of thoſe Ages in which theſe Canons prevail'd, Chriſtian People had the Bible in their Hands, and were exhorted and encouraged to read it; and it may be juſtly ſaid, that the Laity of thoſe Days underſtood the *New Teſtament* much better than ours can be ſuppoſed to do. For the *Greek* was the Mother Tongue to the greateſt part of the Ancient Chriſtians, and was underſtood by very many in *Italy* it ſelf; and they who underſtood only *Latin* had the Uſe of the old *Italick* Verſion, which was a very faithful, though not elegant Tranſlation. The People of that Age could not have been impoſed upon as ſome of ours are by the Author of *the Rights*, when he tells them, that πείθεσθε ἡγεμόνοις ought to be render'd *be perſwaded by your Guide*; they would have anſwer'd him, that ἡγέμενοι ſignifies Men of Command and Authority; that 'tis for Equals or Inferiors *to perſwade*, that Superiors are to be obey'd. A School-Boy would certainly ſmart for it if he ſhould play with *Homer*, as that Author does with St. *Paul*, and tranſlate —— ἐν οἱ πίθοντο Ἀχαιοὶ, *the Grecians were perſwaded by him*, *viz.* their King. And whereas that Writer tells us that our Tranſlators do never turn the

the word πείθομαι otherwiſe than *to be perſwaded* in any other place, but only *Heb.* xiii. 17. this is like all the reſt; 'tis ſo expreſly turned by them, *Act.* v. 37. καὶ ὅσοι ἐπείθοντο αὐτῷ, *and as many as obey'd him.*

We have indeed the Hiſtory of the Foundation of the Church moſt faithfully recorded in Holy Scripture; and if any thing therein contained do controul this Right or intruſt this Power in other Hands, then it muſt be owned, that the Paſtors are but Invaders, and ought to reſign their Authority to them, who were at firſt put into poſſeſſion of it by Chriſt himſelf; but if on the other ſide it do appear, that Chriſt never gave any Commiſſion but to *Paſtors* only; if it do not appear that ever one Act of Spiritual Authority was perform'd but by them, ſo far as the Hiſtory of the *New Teſtament* has informed us; then it is clear, that the *Paſtors* have this Right not only by Preſcription, but by the Original Endowment of our Saviour himſelf.

The main Argument advanced by the *Eraſtians* againſt this Truth is grounded upon that one Text, *Mat.* xviii. 17. *If he will not hear thee, tell it to the Church*; for we are told a hundred times over that the People only are the Church, and that by theſe Words they are made the Judge of all Church-Diſputes: but now if it be proved that the Word *Church* does not always denote *the People*, and that particularly in this place it ſignifies *the College of Apoſtles*, then all the Concluſions drawn from this

Text in favour of the *Eraſtian* Cauſe, muſt be given up. 'Tis therefore my Buſineſs to prove, that by the *Greek* Ἐκκλησία, render'd *Church* by our Tranſlators, we are to underſtand, *a Synod, or Aſſembly of Apoſtles, or Paſtors.*

1. And the Context will prove this. The Words are part of a continued Diſcourſe, which begins with the Chapter. None but the Apoſtles could have any pretence to diſpute for Precedence in his Kingdom, which was the occaſion of his teaching them Humility by the Example of *a Child*; and to remove all poſſibility of doubt, St. *Mark* tells us, *Ch.* ix. 35. that on this occaſion *he called the twelve unto him, and ſaith unto them*; and if the Beginning of this Diſcourſe were apply'd to them only, then there cannot be the leaſt pretence for underſtanding theſe Words as directed to any others; for the Connexion and Dependance of one Verſe upon another, from the 1ſt to the 21ſt is ſo clear, that there remains no room for Cavil.

2. Therefore the *Brother* ſpoken of, *ver.* 15. muſt be one of themſelves, and the occaſion ſhews this; for by their late Diſputes for Precedence they had ſhew'd, that they were Men of like Paſſions with others; and ſince it was clear, that Differences might ariſe amongſt them, he provides a remedy for compoſing them, which was, that after a double Admonition, they ſhould *tell it to the Church*, or Synod, that is, to the whole College of Apoſtles, or as many as could

could aſſemble on ſuch an Occaſion. And nothing can be leſs probable, than that the People were to arbitrate Differences between the Apoſtles. It was the proper Office of the Apoſtles to keep Peace among the People; but that the People were to Sit Judges upon the Commiſſion'd Officers of *Chriſt Jeſus*, is too groſs.

3. The Word Ἐκκλησία is not by the *Helleniſts* appropriated to ſignifie an Aſſembly of People only; but particularly in 1 *Chr.* xiii. 1, 2. it denotes an Aſſembly of Men of Authority, *of the Captains of thouſands, and Captains of hundreds, and of every Leader*; and Συναγωγὴ, a Word of the ſame Import, is uſed, *Pſ.* lxxxii. 1. for a *Congregation of Princes*. See alſo *Mr.* Wotton's *Vindication of his Sermon*, p. 164.

4. To whomſoever our Saviour here applies himſelf, to them he gives this Power, that *whatſoever they bind on Earth ſhall be bound in Heaven*, &c. and ſince our Saviour does in other places beſtow this as a peculiar Privilege on his Apoſtles, or Paſtors, 'tis not credible, nor conſiſtent with his uniform Method of Proceeding, that he ſhould here give it to the People in common.

5. And the practice of the *Church* repreſented in the following Papers is the beſt gloſs upon this Text; for by them it will appear, that if in the Primitive Times there were any Controverſy betwixt Biſhops, (who always look'd on themſelves as Succeſſors to the Apoſtles) it was always re-

ferr'd to a Synod, if other Methods prov'd ineffectual to the healing of it; and he who would not ſubmit to the final Deciſion of a Synod, was Excommunicated. In caſe the Buſineſs were not very extraordinary, or that no more Apoſtles or Biſhops could be procured, our Saviour adds, *If any two of you agree upon earth touching any thing they ſhall ask, it ſhall be done for them*; as if he had ſaid: "If any two of you, when more "cannot be had, do concurr in Judgment, "concerning any Difficulty or Debate, "what you determine ſhall, upon your "Addreſs to God, be ratified in Heaven: Therefore ſome Matters, particularly Diſputes about Elections and Ordinations, might be decided by two. See *Apoſt. Can.* 1.

But, becauſe our Adverſaries lay ſo great a ſtreſs upon this Notion, that *the People only are the Church*, I ſhall therefore ſhew, that in other Places of the *New Teſtament* the Word *Church* is to be underſtood of *Paſtors*.

And firſt, where we read of *the Church of the Firſt-born*, Heb. xii. 23. 'tis in the higheſt Degree probable, that thereby are meant the Apoſtles and LXX Diſciples, who were the firſt Converts to our Saviour and his Goſpel, and of whom alone *Chriſt Jeſus* had pronounced, that *their Names were written in Heaven*, Luk. x. 20.

Again, when St. *Paul* ſays, that *the Wiſdom of God* in calling the Gentiles *was made known to the Principalities and Powers by the Church*, Eph. iii. 10. He explains what he means

means by the Church, *ver.* 5. namely *the Apoſtles and Prophets*; for by them this Truth was diſcovered both to Angels (which are here called *Principalities and Powers*) and to the Chriſtian People. 'Tis unreaſonable to ſuppoſe that the People knew it before the Angels; for that would import, that the Angels were leſs quick of Apprehenſion than the People. The Apoſtles and Prophets were the firſt Publiſhers of this Truth, and therefore they were the Church, from whom the Angels received it. Or if by *Principalities* you underſtand the Rulers of the *Jewiſh* Nation (which is, I think, a Strain) yet ſtill this Argument holds; for not the multitude of Chriſtians, but the Apoſtles and other Authorized Teachers of Chriſtianity did make their publick Apologies to the Ruling Part of the *Jewiſh* Church, and in them, if at all, notify this Truth to them.

Several other Texts might be alledged to this purpoſe; but I will at preſent ſatisfy my ſelf by producing four Parallel Paſſages in St. *Paul*'s Epiſtles, I mean *Rom.* xvi. 3, 5. 1 *Cor.* xvi. 19. *Col.* iv. 15. *Philem.* 2. where we have mention of *the Churches in the Houſes of* Aquila *and* Priſcilla, Nymphas *and* Philemon. Dr. *Whitby* makes no more of theſe Churches, than Families conſiſting wholly of Chriſtians; but I muſt crave leave to diſſent from that Learned Man in this particular: For when St. *Paul* mentions, or ſalutes a Family of Chriſtians, he calls them only *the Houſe* of ſuch a Man. Thus twice

twice in one Epiſtle he takes notice of the *Houſe of Oneſiphorus*, 2 Tim. i. 16. iv. 19. *Tertullian* indeed, after he was turn'd Heretick, ſaid, that *where there were* 3 *Lay-men there was a Church*; but from the Beginning it was not ſo.

The Notion of Mr. *Mede* ſeems more plauſible, who by this Expreſſion underſtands the Congregation that uſed to meet at ſuch a one's Houſe; but neither will this hold, for,

1. In Cities, where there were more Congregations than one, it can ſcarce be accounted for, why St. *Paul* ſhould ſalute one rather than another, (and he never ſalutes more than one ſuch Church in one City:) this is eſpecially true of thoſe Cities where St. *Paul* had never been in Perſon, as *Rome* and *Coloſſe*; for in this Caſe he muſt equally be unacquainted with every Congregation.

2. If there were but one Congregation of Chriſtians in the City, to which the Epiſtle was ſent, he had in a moſt ſolemn manner ſaluted them in the Front of the Epiſtle; and I ſuppoſe, no reaſon can be given why, after he had ſaluted them under the Title of the Saints in ſuch a City, he ſhould afterwards vary his Style, and ſalute them by the Name of the *Church in a Houſe*.

It remains therefore, that by this Expreſſion we underſtand *the Body of Paſtors*, who then moſt probably, as they did in after-Ages, liv'd together in a Community in

in the Houſe of ſome one more Wealthy and Zealous Chriſtian.

We have one Inſtance of a Body of Evangelical Officers living together in one Family, 1 *Cor.* xvi. 15, 16. where the Apoſtle *ſalutes the Houſe of* Stephanas, and charges the *Corinthians to ſubmit themſelves to ſuch*, and *to every one*, ſays he, *who helpeth with us, and laboureth*; which laſt words do clearly imply, that they were a number of Men who Preached uncorrupt Chriſtianity, and ſuch Doctrine as the Apoſtle himſelf did; and for this reaſon in all probability the *Corinthians* had made a Defection from them ever ſince they had reſigned themſelves up to their new Teachers; and 'tis probably for this reaſon that he does not give them the honourable Compellation of *the Church in the Houſe of* Stephanas; for it is obſerved by Learned Men, that the Apoſtle carefully avoids the ſaying any thing that might diſtaſte the *Corinthians:* And becauſe the Spiritual Miniſtrations of theſe Orthodox Paſtors were no longer accepted, *they had addicted themſelves* to the raiſing Contributions for foreign Churches, which is here and elſewhere call'd *miniſtring to the Saints.* He calls them the *Firſt-fruits of* Achaia, that is, ſome of the moſt early Converts in thoſe Parts, whom therefore probably St. *Clement* in his Epiſtle to theſe *Corinthians* had in his Eye, when he ſays, that the *Apoſtles ordain'd the Firſt-fruits Biſhops and Miniſters of thoſe who ſhould afterwards believe.* 'Tis clear that

St.

St. *Paul* had Baptized them, 1 *Cor.* i. 16. and therefore probably Ordained them with his own Hands.

Tho', after all, if theſe Gentlemen would allow the Clergy the ſame Equity that they do the Governors or Officers of any Body Politick, there had been no occaſion for ſo many words in ſo clear a Caſe. For what more common than for an Act or Law paſſed by a Mayor and Aldermen, to be called the Act or Law of the whole City? and the Act of the Queen, or her Plenipotentiary, the Act of the whole Kingdom of *Great-Britain?* So an Aſſembly of the Chieftains is called *the Congregation of all Iſrael*, 1 *Chr.* xiii. 1, 2. And why, by the ſame Figure, may not the Act of the Paſtors be ſtyled the Act of the Church, upon Suppoſition that by that Word is generally meant *the People only?* which yet I am ſo far from believing, that on the contrary I think it will be hard for our Adverſaries to prove that this Word is any where ſo uſed as to exclude the Clergy. St. *Ignatius* is poſitive, that *without them there is no Church.*

I ſhall, before I conclude this Preface, have occaſion to ſhew, that all the moſt noted Acts of Authority mention'd in the *New Teſtament* after our Saviour's Aſcenſion, were performed by Paſtors, which, with what has been already ſaid, is a ſufficient proof of this Truth, that the Paſtors of the Church had the Government of it during the Apoſtles time; and that this Au-

Authority was not to die with the Apoſtles, and the Paſtors Co-temporary with them, but to continue as long as the Church it ſelf, I ſhall not undertake to prove for two Reaſons; the firſt is, that it has been ſo effectually done by many others; the other is, that I cannot believe that they who contradict this Truth can be in earneſt, if they believe the Scripture.

But there are another ſort of Men, I mean Mr. *Calamy* and his Brethren, who, tho' they own that *Chriſt* left the Government of the Church in the hands of its Paſtors, and intended it to be perpetual, yet will not allow them any Power in External Matters. He confeſſes that *Jeſus Chriſt* left *the Method, the Geſture, the Habit* to be uſed in Divine Worſhip, and Sacraments *undetermin'd:* and he adds, that *Chriſt not having done this, it looks as if he did not eſteem it neceſſary it ſhould be done.* And yet that ſome things are neceſſary to be determined he owns, eſpecially in that Aphoriſm of his, which he calls his *firſt Principle*, viz. that *each Worſhipping Society muſt determine for it ſelf, what it finds neceſſary to be determined.* And whereas his Adverſary had argued, that *It reſults from the Nature of all Societies, that the Governors of them ſhould have a power of ordering what ſeems to them for the Beauty and Advantage of them:* He denies this, *except the Governors can make it appear, that what they recommend is really the mind of Chriſt.* Sure our moderate Non-conformiſts were at a dead

Introduct. p. 6, 7.

ibid. p. 13.

ibid. p. 85.

ibid. p. 39.

dead liſt indeed, when they found that their Cauſe was not to be maintained without ſo very hardy an Aſſertion as this. Did ever Mortal before hear of Governors without any Authority to make Laws, without any power even in the leaſt and moſt minute things? Servants, or Inferior Officers you may call them, Governors you cannot, except you own that they have a Right to demand Obedience of the People. Governors with ſo full a Commiſſion as the Apoſtles and their Succeſſors, who acted as
2 Cor. ii. 10. St. *Paul* did in *the Perſon of Chriſt*, might ſurely, without being thought Uſurpers, undertake to regulate any Circumſtances belonging to Divine Worſhip, or whatever elſe our Saviour himſelf has not determined. He grants, that *the Rule would hold in meer Civil Societies, and as to Supreme Governors*; but Paſtors are only *ſubordinate Governors*. In the ſame Senſe that the Apoſtles and their Succeſſors, for the firſt 300 Years were Subordinate Governors, 'tis certain that all Kings and Emperors are ſo. Both of them had a Maſter in Heaven, but, as Soveraign Princes, have no Superior on Earth; ſo neither had the Chriſtian Paſtors in any Eccleſiaſtical Affairs, till the Empire came into the Church.

But Mr. *Calamy* would have it thought,
Introduct. that *to make Articles of Faith, and to preſcribe Modes of Worſhip are ſomething parallel:* Yes, they are parallel, as the *Axis* of the Univerſe and of the Earth are ſuppoſed to be, ſo as to be at an Immenſe

menſe Diſtance the one from the other: They have this Property of Parallels that they can never meet or be the ſame. The firſt are neceſſary to Salvation to all Men of all times; the others are neceſſary only for Peace and Order to the Men of that Age and Place to whom they are enjoined. The firſt can be made properly and ſtrictly by God alone; for he only has an abſolute Power over our Wills, ſo as to demand our Aſſent to what he pleaſes: *Chriſt Jeſus* and his Apoſtles only were Commiſſion'd to inform us what thoſe Articles were which we muſt believe at the peril of our own Salvation. None can juſtly pretend to an Authority of making new Articles of Faith without a Revelation, and the power of Miracles to confirm it. Nay, ſince the Chriſtian Revelation is finiſh'd, if a Man, or even an Angel come and require our Belief of any New Doctrine, we may by Apoſtolical Authority pronounce him *accurſed*; but if an Authority given by God to Men be not ſufficient to empower them to enjoin Circumſtances and Ceremonies, it is certainly no Authority at all. For unleſs it can be ſhewed that there is any thing belonging to Religion leſs than theſe, ſurely the leaſt Authority that ever was, or can be imagined, has power in theſe Particulars; and therefore, if they have not Authority in theſe things, 'tis clear, that they can have none in any other. In the mean time let the Reader obſerve and admire Mr. *Calamy*'s Parallel, a Parallel

Gal. i. 8, 9.

rallel betwixt the greateſt and leaſt; a Parallel betwixt a Power truly *divine*, and Power, that is the leaſt that can be called *humane*; and to argue, that becauſe Paſtors have not one, they cannot therefore have the other, is to ſay, that becauſe they have not an abſolute Divine Power, they have none at all.

But how ſmall ſoever this Power is, yet the Apoſtles vouchſafed to exerciſe it, and have thereby given Precedents to their Succeſſors. They exerciſed it in commanding *Women to be Veiled*, *Men to be uncovered* in Holy Offices, in requiring the *Kiſs of Charity*, in obliging the Gentile Converts *to abſtain from blood and ſtrangled Animals*. And tho' Mr. *Calamy* cannot in good manners, and becauſe of plain matter of fact recorded in Scripture, deny the Apoſtles this Power, yet he will not allow that *the Church has the ſame Warrant in all Ages to fix Regulations*; but this is meerly precarious, except he could give ſome reaſon why this Authority was neceſſary in their Days, and not now. Suppoſe the Controverſy about Circumciſion had happen'd a hundred Years or more after the Apoſtles, would it not have been as neceſſary to have it determin'd then, as it was during the Apoſtles Life-time? and to ſuppoſe that Chriſt had left no Authority to determine it, is to ſuppoſe, that he made no Proviſion for ſuch Accidents as were to happen. It may indeed be ſaid, that no Body of Men in

Introd. p. 34.

after-

after-Ages could have determined this Point with Authority, becauſe they could not have prefaced their Decrees, as the Apoſtles do with thoſe Words, *It ſeemed good to the Holy Ghoſt*; but he that duely conſiders the meaning of this Expreſſion, will eaſily be convinced, that any other Council might in this Caſe have uſed the ſame: For the Import of theſe Words cannot be, that the Apoſtles had any immediate Impulſe of the Holy Ghoſt to require the Gentiles to abſtain from Blood and ſtrangled Animals; for then there had been no occaſion for their coming together to argue and conſult, no more than there was to do the ſame, in order to give leave for the Baptiſm of *Cornelius* and his Heathen Companions: And the Reaſon why they aſſembled upon one Point and not on the other, was, becauſe there was a Revelation made to St. *Peter* in the Caſe of *Cornelius*; but none either to St. *Peter* or any other concerning the eating of Bloud, *&c.* Therefore when they ſay *it ſeemed good to the Holy Ghoſt*, their Meaning is, that the Holy Ghoſt had in part determined this Controverſy, *viz.* the Non-neceſſity of Circumciſion, by commanding *Cornelius*, and other *uncircumciſed Heathens* to be Baptized; and this appeared to them upon the Teſtimony of St. *Peter*, *Act.* xv. *v.* 7, *&c.* and of St. *Paul* and *Barnabas*, ver. 12. but that they ſhould abſtain *from Bloud*, it does not appear that the Holy Ghoſt had any way directly or indirectly intimated to them; there-

therefore they add, *it ſeemed good to us.* Nor do's it appear, that the Prohibition of Bloud and ſtrangled Animals was any more than a prudential Temporary Proviſion made by the Apoſtles. And the generality of the Weſtern Chriſtians, Proteſtants as well as Papiſts, do ſo underſtand it: For how could they, as it were by a general Conſent, lay aſide this Practice, if they were of Opinion, that it was ſo decreed by the Holy Ghoſt? That the Holy Ghoſt had clearly revealed the Non-neceſſity of Circumciſion, is acknowledged by all; and all Chriſtians, at leaſt on this ſide of the World, do accordingly neglect it: But as to the abſtaining from Bloud, this is tacitly confeſſed by the greateſt part of thoſe who are the moſt competent Judges, to have been Enacted by the ordinary, and meerly humane, Eccleſiaſtical Authority of the Apoſtles; and conſequently to be abrogated by the long Silence of the Church, which now requires no ſuch forbearance from us.

As the forbidding of Bloud was only a prudential Inſtitution, ſo were the other external obſervances injoined by the Apoſtles; let Mr. *Calamy* ſay it never ſo often, yet ſince the Apoſtles themſelves don't ſay it, we cannot believe, that any Revelation was made to them, concerning *Womens wearing long Hair, Men ſhort; concerning their Entertainments called Love-Feaſts, or their mutual Salutations in their Religious Aſſemblies.* 'Tis not credible that God ſhould make Revela-

tions

tions concerning things, in which Humane Prudence and a competent Authority in the Rulers of the Church, was ſufficient to direct the practice of Chriſtians.

Mr. *Calamy* do's no where argue more looſly, than when he equivocates upon the Word *neceſſary*: For he tells us more than once, that the Apoſtles commanded only *neceſſary things*. And 'tis true, the forbearing Bloud, and ſtrangled Animals, are ſo called, *Act.* xv. 28. But Mr. *Calamy* cannot ſurely mean that theſe things were ever in themſelves neceſſary; if he do, St. *Paul* will teach him better, when he ſays, *neither if we eat are we the better, nor if we eat not are we the worſe.* To abſtain from Fornication, is owned to be always neceſſary, but the other particulars were not ſo, till the Apoſtles had by their Authority made them ſo to that Age of Chriſtians. There are ſeveral degrees of neceſſity; Some things are abſolutely neceſſary, as *to abſtain from Fornication*: others are only neceſſary in that Senſe of the Word in which St. *Paul* takes it, 2 *Cor.* ix. 5. that is, proper and convenient.

The Caſe indeed is ſo clear, that the Apoſtles did exerciſe ſuch a Power in external matters, that the Presbyterians themſelves ſeem ſenſible, that their Cauſe is gone, if they are to be tried by the Example of the Apoſtolical Age: For you ſhall ſcarce find a Book written by them againſt Prelacy, but you'll ſee that Text of St. *Paul*, 2 *Theſ.* ii. 7. wherein he ſays, *the*

the Myſtery of Iniquity was then working, produced to prove, that the Prelatical Spirit did then begin to operate. Mr. *Calamy* would not omit ſo pertinent a Quotation; but intimates withal, that this was toward the latter part of their Age, *while the Apoſtles eyes were ſcarcely cloſed*; whereas this Epiſtle was written *A. D.* 52. 13 Years before the Death of St. *Peter* and St. *Paul*; 48 before that of St. *John*: But what do they mean by applying theſe Words to the Caſe in diſpute? Sure they would not have it thought, that *the Myſtery of Iniquity was working* among the Apoſtles, or the Paſtors, and Churches ſettled by them: and 'tis from theſe alone we argue. 'Tis agreed by all Writers that have regard to any thing but the Service of a Party, that the *Jews*, or Heathens, or elſe the Hereticks and Schiſmaticks, were the Men, amongſt whom this Myſtery wrought; and we are willing to leave their Examples to be Copied by others: But our Adverſaries cannot but know that 'tis the Apoſtolical Pattern that we inſiſt upon, and from thence endeavour to juſtify our own Conſtitution: And for them in their own Defence to tell us, that the *Myſtery of Iniquity was then working*, is to reproach the Apoſtles, as well as the Hierarchy of our Church, or elſe 'tis to ſay nothing to the purpoſe.

Introd. *p.* 4.

But Mr. *Calamy* never triumphs more unmercifully, than in his Argument drawn from *Rom.* xiv. where all are obliged *to receive*

ceive a weak Chriſtian, tho' he *eat Herbs* only, and will not *obſerve a Day:* And pray who of the Conformiſts ever Condemn'd any Chriſtian, whether weak or ſtrong, for being too much bent to any Opinion or Practice not condemned by Scripture, nor yet diſapprov'd by the Church. Wholly to abſtain from Fleſh was not yet forbid by any Act of the Chriſtian Paſtors, and therefore every private Man was to be left to his own diſcretion: But when there aroſe a Sort of Hereticks, who would eat no Fleſh, upon ſuppoſition that they ſhould be defiled by it: I ſuppoſe the Paſtors of the Church were much in the right, to cenſure thoſe who would not eat it, or at leaſt declare their Approbation of them that did. See *Apoſt. Can.* 43. 61.

Further, it is clear from this Chapter, that no Day was yet totally ſet a-part for Religious Offices: That Chriſtians did Aſſemble on the *Lord's-Day* for the Celebration of the Euchariſt, and Publick Devotion, is highly probable; but 'tis evident, that the Church had not yet by any Law, or prevailing Cuſtom, or Authority, diſtinguiſh'd the *Sunday* by any ſuch ſtrict and ſolemn obſervance as is now paid to it in this and other Chriſtian Nations: Neither the Church nor Presbyterians would now receive that Man, who *do's not obſerve a Day to the Lord:* So that no Concluſion can from hence be drawn againſt us, more than againſt them: and the reaſon

ſon of our not receiving ſuch a Perſon is agreeable to our Principles, *viz.* That in external matters the Authority of the Church binds us. But it will be hard for them to ſhew, why they do with ſo much Zeal declare againſt thoſe who *do not obſerve a Day*; unleſs they could produce a Divine Decree for the keeping it, made after the writing of St. *Paul*'s Epiſtle to the *Romans*. Mr. *Calamy* ſeems aware of this difficulty, and therefore declares, that *he dare not ſay, that he who apprehends, we are under no Divine Obligation to the Sanctification of the Lord's-Day, is a Man of no Conſcience.*

Defence, Part 1. p. 10.

'Tis very evident that our firſt Reformers were univerſally of Opinion, that the Paſtors had Power in Externals; and that even the obſervation of the *Lord's-Day* was to be referr'd to no other Principle: My Proofs of this are ready, when any one ſhall think fit to call for them: in the mean time, he that doubts, whether any other Reformed Church beſides ours, did proceed upon this Principle, that *the Church* (that is the Governing part of it) *has Power to Decree Rites and Ceremonies*, let him conſult a late excellent Book of Mr. *Bingham's*, entituled, *The* French *Church's Apology for the Church of* England, and he will eaſily be convinced, that the Diſſention can never be juſtified, but by condemning all Foreign Proteſtant Churches, as well as ours.

'Tis a ſtrange new way theſe Men have taken up, of meaſuring the Purity of any Church,

Church, that is, by the paucity of its Ceremonies; by which way of account, the Church of *Scotland* is more pure than that of the Apoſtles: for this, 'tis clear, had Ceremonies, that is, external Obſervances, not eſſential to Divine Worſhip or Religion; the other has none, or however will not allow them to be call'd by ſo unſanctified a Name. Whereas on the other ſide, if our Church had three times more Ceremonies than ſhe has, provided they were grave, decent, ſignificant and ancient, I ſhould think her much more pure, than any Church that has received the *Dort*-Doctrine concerning the abſolute Decrees. For of this laſt I am as ſure as I can be of any thing, that is contrary both to reaſon and Scripture. As to Ceremonies, as I am ſure that they are no where forbid, ſo when they are Innocent, and enjoin'd by a lawful Authority, they are my Duty, upon ſuppoſition that Chriſt hath left Governours in his Church; and if he have not, there is a Match between *Moderate Nonconformity*, and *the Rights of the Church*: tho' upon ſecond thoughts they are too near a-kin, and even Twins. The main Principles of *Moderate Nonconformity* are, that *every Man by being a Member of a Civil Society, has a clear Right to be protected in that mode of Worſhip, which he apprehends to be moſt agreeable to the Will of God. If this Power* (*viz.* of Paſtors in Externals) *be Independent on the Magiſtrate*, 'tis Imperium in Imperio. Synods are com-

Introduct. p. 29.

p. 43.

pared to the *Meetings* (Clubs according to
p. 69. the Improvement of *the Rights*) *of Lawyers, Phyſicians, and Merchants, upon the Affairs of their particulars Functions.* Again,
p. 85. *every Company of profeſſed Chriſtians have a natural Right to order the Circumſtances of their own Worſhip.* Any one by reading *the Rights*, will readily ſee, that thoſe ſparks of *Moderate Non-conformity* have by that Author been blown into a Flame, threatning Deſtruction to all Churches, as well as this of *England.*

This laſt mentioned notion of reſolving all Power in Church as well as State, into the Will of the People, is the boſom Principle of theſe Two Writers; and they prove it from the Light of Nature: And that a Deiſt ſhould do ſo is not to be wondered; but that a Chriſtian, and one that profeſſes Divinity ſhould do it, is very extraordinary indeed. I ſhould as ſoon conſult the Light of Nature for the Articles of my Creed, as for the Government of Chriſt's Church. 'Tis true, they that pretend to inform the People of their Privileges need not fear making Converts enow. No Man is more eaſily convinced of any thing, than of his own real or imaginary Power. But Truth, Divine Truth, is ſtrong, and will prevail againſt *the Inventions of Men.* 'Tis clear, that Chriſt has ſettled a Succeſſion of Governours in his Church, and that they have had the Power of making and executing Laws among their People from the Apoſtolical times

to

to this very day, and that this Power is ſtill in the Paſtors of this Church of ours, not only by an inherent Right derived from Chriſt himſelf, but by the acknowledged Laws and Conſtitutions of our Civil Government.

I ſay that this Power is ſtill in the Paſtors of our Church (how ill ſoever the Author of *Moderate Nonconformity*, and *the Rights* may be able to bear it) tho' under ſome Reſtrictions and Limitations. Before the Act of Submiſſion, our Metropolitans had the Power of calling Synods at diſcretion, and Canons therein made were of Force by virtue of the Law of the Univerſal Church, and even by the Immemorial Cuſtom of this Kingdom, which is of itſelf a Law: And 'tis ſufficient that the Act of Submiſſion do's not deprive them of this Power, but only do's ſo limit it, *that no Convocation ſhall be called, nor any Canons Enacted, but by Royal Licence; and that no Canons be made contrary to Scripture, the Prerogative Royal, or the Laws and Statutes of the Realm.* They needed no Empowering Clauſe: For Convocations were ever owned to have Authority to make Canons, and put them in Execution; and provided this be done by Royal Licenſe, they have it ſtill, as is acknowledged by *Stat.* 13. *Car.* 2. *c.* 12. in which we have this Clauſe; *Provided that this Act* (which was for reſtoring Eccleſiaſtical Juriſdiction after the late Rebellion) *ſhall not extend to give any Biſhop, or others, any*

Power to determine any Cenſure Eccleſiaſtical which they might not by Law have done before the Year 1639; *nor to Abridge the King's Supremacy, nor to Confirm the Canons made* 1640, *nor any other Canons not formerly Confirmed by Parliament, or by the Eſtabliſhed Laws of the Land, as they ſtood in the Year* 1639. Here is a clear diſtinction between *Canons confirmed by Parliament*, and Canons *confirmed by the Eſtabliſhed Laws of the Land*; and it is from hence as evident as any thing need to be, that the Parliament owns, that Canons may be valid if made according to *the Eſtabliſh'd Laws*, that is, by Convocation with the Queen's Aſſent, tho' they be not confirmed by Statute: which is the Caſe of the Canons made *A. D.* 1603. which never were confirmed by Parliament, otherwiſe than as they are implicitely confirmed by this Clauſe.

I the rather produced this Clauſe, becauſe Mr. *Calamy* in the fury of his Moderation had aſſerted, that *this Statute frees the Subject from an Obligation to any Laws or Canons not formerly Confirmed, Allowed or Enacted by Parliament.* I ſhall leave it to the conſideration of my Readers, and of Mr. *Calamy* himſelf, if he ſhall vouchſafe to be one of them, whether more Conſcience ought not to be made in citing Authorities: But the Concluſion drawn from hence is more ſurprizing ſtill, *viz. As for the Canons or Eccleſiaſtical Laws, I have no concern in them; the Parliament never ratified them, and I am no more obliged*

Def. Part 2. *p.* 280.

Ibid.

liged to regard them, than if I lived in another Country. This is peremptory indeed; But how can he ſay of the Canons and Eccleſiaſtical Laws, without diſtinction, that *the Parliament never ratified them?* when the Words of the Act as cited by him, ſuppoſe ſome of them at leaſt *to be confirmed by Parliament*; and at another place he ſpeaks of Canons made 1563, confirmed in Parliament 1572; for this laſt I can find no Authority, but that of Mr. *Calamy*, and how much that is to be depended upon, is left to the Reader. Sure this moderate Man, when the hot fit is over, will own that he is obliged by theſe, except where their Obligation is taken off by the Act of Toleration. For to me it ſeems clear, that Mr. *Calamy* and his Brethren are ſtill under the Laſh of very many of the Canons and Eccleſiaſtical Laws: I will mention Two Branches of them, *viz.* thoſe concerning Adminiſtrators and Executors, and thoſe againſt Uncleanneſs of all ſorts. If Mr. *Calamy*, or any of his Brethren, have ever Prov'd a Will, or taken Letters of Adminiſtration, they muſt be ſenſible, that they were obliged to do it in that Court, and according to thoſe Forms which the Canons direct, many of which are not expreſly confirmed by Statute. And if any of Mr. *Calamy*'s perſuaſion were found notoriouſly guilty of Fornication or any other Uncleanneſs, and I were Eccleſiaſtical Judge of that Dioceſe, I ſhould make him ſenſible, that a Preſ- Def. Part 1. p. 19.

byterian is as much liable to the Canons of the Church in this case, as if he were a retainer to the Church of *England*. In a word, I would condemn him to do Penance in a white Sheet, and with a Wand in his Hand; and let Mr. *Calamy*, or the most Learned Council, try their skill, whether they could procure a Prohibition from the Judges in *Westminster-Hall*, let them cry out never so loud of *the Mischief of Impositions*, and plead the Scrupulousness of the Man's Conscience against the Use of a *White Robe*, yet I would not in the least question the carrying of my Cause; for the Act of Toleration was never intended to Patronize Lewdness or Immorality.

But the Church ought not to take it so ill at Mr. *Calamy*'s hands for bidding defiance to all her Laws at once, since 'tis no more than what he does to the Laws of the Queen and Parliament, tho' with more reserve; for he asserts, that the Oath of Allegiance relates only to the Laws, that concern *the Security of the Queen's Person, Crown and Dignity, as to the rest of the Laws*, says he, *I am free from an Oath*; *and if the Legislative Power be therein warrantably exerted, I look upon my self as bound to Obedience by virtue of the Consent of our Representatives in Parliament.*

Def. Part 2. p. 280.

But what Obligations are they under to obey the Laws, that have no Representatives in Parliament? which is the Case of three quarters of all the People in the Nation, and even of the Presbyterian Preachers;

ers; so that at this rate the great Majority of the Nation, and particularly of Mr. *Calamy*'s Brethren, are no ways obliged, unless for fear of punishment, to live in subjection to the main body of our Laws. I have not room to follow Mr. *Calamy* in all his Extravagant Sallies on this Subject. I can only wish, that Her MAJESTY may be better serv'd and obey'd, than she is like to be by those that would be thought some of the best of her Subjects. And as for his Notion, that the Oath of Allegiance obliges us to obey no other Laws but what concern the Queen's Person, Crown and Dignity, I look upon it as contrary to Scripture, and the common Notions of Mankind, and of all Learned Men, except Mr. *Calamy*, whose Writings I have look'd into; for I think all these unanimously agree, that *we ought to keep the King's Commandment, and that in regard of the Oath of God.* And indeed, if our Obligation to obey Laws do proceed from their being made by our Representatives, 'twill be hard to prove, that any other People are under any ties of Obedience; for I know no other People but the *British*, where any part of the Legislature is in Persons chosen or nominated by them, or any great part of them.

By the following Codes it will appear, that the Authority now claimed by our Convocation, is in some particulars less than what was allowed to all Provincial Synods after that the Empire became Chri-

ſtian; and by theſe Codes put together, it is very evident, that for 6 or 700 Years next after the Apoſtolical Age, the Church was govern'd by its Paſtors in external matters, in Circumſtances of Worſhip, in Rites and Ceremonies, as well as matters of Diſcipline. If the Scriptures were obſcure in this Point, as I think they are not, (tho' the *Eraſtians* and *Preſbyterians* have done all that in them lies to make them ſo) what fairer Method could be propoſed of deciding the Controverſy, than by referring it to the Arbitration of ſo many and Venerable Aſſemblies, as thoſe whoſe Acts and Decrees are contained in the following Codes; and they do all unanimouſly give in their Verdict on the Churches ſide. And he that is not extremely full of his own *Sufficiency*, will certainly ſuſpect his own Judgment, when he ſees it controul'd by the continued Sentence of the Church for ſo many Ages together, during the time that ſhe remain'd uncorrupt as to matters of Faith, and free from any groſs Degeneracy in Worſhip. But further, from theſe Codes it appears, that during all theſe Ages the Paſtors were in an undiſputed poſſeſſion of this Power, as will appear to any one that reads them. I perſwade my ſelf, that 'twill be very difficult to produce any body of Men that call'd themſelves Chriſtians, or even one Man of tolerable Reputation that oppoſed the Exerciſe of this Authority. Not but that Diſputes were then raiſed againſt ſome particular Ceremonies

monies or Uſages; but that it was on all hands allow'd, that it was the Buſineſs of the Paſtor to appoint ſuch as were fit and proper. I proceed

Secondly, To ſhew what ſort of Paſtors they are by whom the Government of the Church is in an eſpecial manner to be adminiſtred.

And if the ſame Reverend *Sages* may be permitted to give Sentence in this Caſe as well as the other, they are all agreed, and univerſally anſwer, that as there were 3 Orders of Men in every Church; ſo the firſt of theſe Orders, called at firſt Apoſtles, afterwards Biſhops, did in an eſpecial manner preſide over and govern the Church. They decided Diſputes, and made Authoritative Rules for the Clergy and People: They Ordained other Paſtors, and preſided in the Election of them, if they did not alſo Elect them, as 'tis clear they often did: They paſſed Sentence on Offenders, and when they ſaw occaſion relaxed the Cenſure, or Penance preſcribed by Canon; and this will be ſo plain to him that peruſes theſe Papers, that I need not uſe a Feſcue to point out particular places to my Reader.

If a Diſpute ſhould happen amongſt any two Parties here in *Britain* concerning the Power of making and executing Laws; and one Party ſhould contend that both Powers were in the Prince, and another ſhould affirm that the Executive Power was indeed in the Prince, but the Legiſlative jointly in the Prince, and two Houſes

of Parliament. I ſuppoſe this latter Party need uſe no other Argument, but content himſelf in producing the Statute-Book, in every Page whereof this Truth does clearly ſhew itſelf, that ſo far backward as that goes, the Prince has been acknowledged to be poſſeſſed of the Executive Part; but that the Lords and Commons have their Share in the Legiſlative. And by Parity of Reaſon, when there is a Diſpute what Paſtors have the Government of the Church, whither ſhould we go for a Deciſion, but to the ancient Canonical Codes of the Primitive, Univerſal, Eaſtern, and Weſtern Churches, which were as it were the Statute-Books of the Church of Chriſt in external matters: And if there be found in them an evident Agreement in this point, we ought to own what is certainly true, that by the Unanimous Suffrage of the moſt early and unbyaſs'd Ages, and the uncontroul'd Practice of all Churches throughout the World, this Authority has always been exerciſed by Biſhops. But, as when we ſay that the Executive Power is in the Crown, we do not thereby exclude the Privy Council, and other Miniſters of State whom the Prince makes uſe of for the more effectual and unexceptionable Adminiſtration of Laws and Juſtice: So neither when we principally attribute to the Biſhops the Privilege of giving Authoritative Rules in Eccleſiaſtical Matters, and of putting thoſe Rules in Force and Practice, do we deny that they have, and may, nay perhaps in

ſome Caſes ought to uſe the Aſſiſtance of Prieſts, as they muſt of Neceſſity, in the Executive Part, employ other Inferiour Officers.

But the Point I am at preſent concern'd to aſſert, is, that Biſhops have all along had the chief Share in the Government of the Church; for which, he who reads theſe Codes needs no other Proof. Now I will ſuppoſe for the preſent, that the Form of Church Government is in itſelf indifferent; and that the Presbyterian Form is as proper to preſerve the Peace of the Church, and ſerve all the Ends of Goverment, as the Epiſcopal; yet except there were ſome violent Reaſon, ſome irreſiſtible Argument to the contrary, why ſhould any Nation reject that Form under which they were firſt ſettled in the Chriſtian Religion, under which the Ancient Church did ſo ſucceſsfully carry its Cauſe againſt Judaiſm and Idolatry; and I will add, by which we were ſo happily reform'd from Popiſh Errors and Superſtitions in the laſt Age, for one that is new and unheard of in the Chriſtian Church till about 160 Years ago? To alter where there is no juſt occaſion; to change for changes ſake, is contrary to the common Sentiments of all Men, except ſuch as are led by fancy and humour: But for Men in their own judgment not only to prefer Novelty to Antiquity, the Example of one City to that of the whole Chriſtian World, not only to make a departure from the Church, but a horrid exclamation

clamation againſt her for having retained
P. 10. the Epiſcopal Form; and *to diſſent even from Epiſcopacy* itſelf, as the late *Latin* Strictures own that the Presbyterians do, is certainly as great an Inſtance of a Contradictious Spirit, as can well be imagined. And ſure nothing can be more unjuſt than to brand them with the Name of a Party, who ſtand up in Defence of the Ancient Form of Government, and to lay at their door all the ſad Effects which have attended this Controverſy.

When Men make Head againſt Governors duely eſtabliſh'd, and who receive their Authority from a long Series of Predeceſſors, and are own'd by the Civil Conſtitution, they ought to give very clear Demonſtration indeed, that this long Poſſeſſion was originally grounded upon ſome Fraud or Miſtake, and that the Rival Government has a better and more unexceptionable Right and Title by the Ancient Charter of Chriſtianity, the *New Teſtament*; or elſe it muſt be own'd that the Aggreſſors are anſwerable for all that Miſchief which their New Claims and Pretenſions have produced: and the others muſt be acquitted by all impartial Men, if it do appear, that what they have done or ſaid, was only in their own neceſſary Defence.

Now the Presbyterian Teachers have in 160 Years time been ſo far from clearing their Pretended Right and Title from Scripture, and giving a convincing Proof of it to others, that very few of them here in *England*

England seem to be convinced of *it themſelves*: and the more the Caſe has been ſifted and enquired into, the leſs Evidence ſtill appears on their Side: And the Pretence of their Government and Diſcipline being founded by Chriſt Jeſus is in effect dropt by ſome of thoſe that are moſt concerned to defend it, I mean the *Geneva* Doctors abroad, and Mr. *Calamy* and his concurring Brethren here at home. The Doctors of *Geneva* clearly give up their *Jus Divinum* in thoſe Words of their late Letter to the Univerſity of *Oxford*, *We have ſuch Rites, as the Government and Neceſſity of our Common wealth requires*; for by *Rites* the Author of the Strictures owns, that they mean *the whole Geneva Diſcipline*. Mr. *Calamy* declares, that *he is ſo far from being an Enemy to Epiſcopacy, that he could with Freedom ſubmit to it as a prudential Inſtitution*: but I muſt be ſo frank as to tell him, that he can only mean, that he is no Enemy to it in his real Judgment, for that he is an Enemy to it by his Practice, and even Profeſſion, his Writings, and his conſtant Preaching in a Meeting Houſe do clearly demonſtrate. However, he fairly lays aſide the Divine Right of Presbyterian Diſcipline, and does in effect own himſelf Indifferent to the Epiſcopal, Presbyterian, or Independent Scheme, as indeed Mr. *Baxter* had done before him. Nor is this to be wonder'd at, if it be conſidered that Mr. *Calvin* himſelf, the firſt Author of the Presbyterian Government, was

See Pref. *to the Firſt Part*, p. 13.

P. 14.

Def. Part 1. p. 182.

Introduct. p. 89.

was so far from thinking that Form to be of Divine Right, that he certainly does *Anathematize all those who do not revere and pay the most profound Obedience to that Hierarchy in which Bishops retain their Eminence, but so as to submit to Christ Jesus, and depend on him as their Head.* *The Strictures*, the Author whereof seems to have been of a quite different temper from Mr. *Calamy*, would have *Calvin* mean no more, than that he approved of Bishops *on condition that they embraced that Ecclesiastical Discipline, which the Apostles instituted at the Command of Christ Jesus*; *i. e.* the Presbyterian Platform, which is just as if one of our Church should say, that he approv'd of the Presbyterians and their Government, upon condition that they would submit to Episcopacy. *Calvin*, to give him his due, never talk'd, or argued in so loose a manner as the Writer of *the Strictures* would here make us believe he did, Monsr. *De la Motte* is a more equal and competent Judge; and he in his *Correspond. Fratern.* p. 424. cites this very Passage from Mr. *Calvin*, to shew his Approbation of Episcopal Government; and indeed if this had not been Mr. *Calvin*'s real Judgment, he must have been guilty of Self-Contradiction; for, as the Ingenious Monsr. *De la Motte* further observes, Mr. *Calvin* had Subscribed the *Ausburgh Confession*, in which there are several express Declarations in favour of Episcopacy: I will transcribe but one, *viz.* *We have often protested, that*

De Necessitate reformand. ad Cardinal Sadolet vers. fin.

P. 19.

we

we approve with all our heart the Eccleſiaſtical Polity, and the Diſtinction of Degrees in the Church. We deſire to preſerve them, as much as in us lies. We do not diſapprove the Authority of Biſhops, provided they do not force us to act againſt the Commands of God. He that deſires more to this purpoſe may conſult Monſ. *De la Motte*, in the place afore-cited. Now let any Man judge, whether the Presbyterians do moſt conſult the Honour of Mr. *Calvin*, by ſuppoſing that he Subſcribed this Confeſſion contrary to his Judgment and Conſcience, or the Epiſcopal Men, who are willing to believe that he acted and wrote conſiſtently, and that when he Subſcribed *the Confeſſion of Ausburgh*, he did it in earneſt. He was ſo far from being apprized of any Divine Right, on which his Scheme of Government was founded, that he underſtood the Word *Presbytery*, 1 *Tim.* iv. 14. which is the Capital Text among our Diſſenters here in *England*, not of *a College of Presbyters*, but of *the Order of Presbyters*: So *Philip* knew nothing of *Alexander*'s being the Son of a God, but verily thought that he himſelf was the Father of him; but the vain young Man finding himſelf greatly admired, could not bear to be thought of humane Extract, but perſwaded, if not himſelf, yet his Followers, that he was the Offspring of *Jupiter*.

Inſtitut. cap. 16. de Ordin. Eccl. verſ ſinem.

On the other ſide we are to conſider Biſhops as an Order of Men that had moſt certainly the Government of the Church

Church for 6 or 700 Years together, next after the Apoſtolical Times that were firſt Eclipſed by the Monarchy of the Pope, who built his Soveraignty upon the ruines of their Power, and taught his School-men to ſay, That Biſhops had no Power over Prieſts, but what they received from him; that they were both of one Order, and that there was no difference between them, but what the Pope had made, the Falſity and Abſurdity of which will appear by the following Codes. At the Reformation, tho' they were redeem'd from Popiſh Slavery, yet they were laid under ſome new Reſtraints by the Civil Laws, and ſoon after moſt violently aſſaulted by a new ſort of Men, who pretended an extraordinary degree of Zeal for the Reformation, and againſt the Epiſcopal Order, not conſidering that the wrong Notion which they had of it was really taught them by the Popiſh School-men, and was deſigned as one means whereby to raiſe the Pope's Grandeur. However, betwixt Papiſts and Proteſtants the Order was run down in a popular fury by Men that had neither Inclination nor Capacities to be competent Judges in the Caſe. And yet by the extraordinary Providence of God it has recover'd itſelf, and has gain'd a great many Friends both amongſt Papiſts and Proteſtants, both at home and abroad: And it is clear, that if ever the Tyranny of the *Roman* Pontiff be ruin'd, it muſt be by every Biſhop and Metropolitan's re-aſſu-

ming their own Rights, and acting by Provincial, or larger Synods, as they did in those Ages when these Codes were framed. And considering in what Reputation this Ancient Government of the Church now is in some neighbouring Countries, as well as our own, 'tis not improbable that Divine Providence may reduce and humble the Pope by the same Order of Men and Ecclesiastical Government, by which he was pleased to overcome the Jewish and Heathenish World. For it is certain this is an Opinion that daily gains ground; and where there was one Man in the time of Queen *Elizabeth*, that believ'd Episcopacy to be of Apostolical, or Divine Original, there are many hundreds that believe it now both at home and abroad, and those Men of the greatest Name and Figure both amongst the *Romish* and *Reformed*. Nay, one of the chief Leaders of the opposite Party, *Edmund Calamy*, E. F. and N. has granted those Premisses, from which the Divine Institution of a Prelatical Form of Government must necessarily follow. He expressly owns, that *there was a Pre-eminence of some above others in the Gospel Ministry in the first Settlement of the Church.* He owns that *Timothy* and *Titus were sent to supply the place of the Apostles in settling Churches*, and *that it would be very hard to prove it unwarrantable to keep up such Delegates.* By this he clearly grants that the Christian Church was founded in a State of Prelacy; and

Introduct. p. 41.

Def. Part 1. p. 77.

and why it ſhould not continue in the ſame State is what can never be ſhew'd. He ſays indeed, *we find no intimation in Scripture that they were deſigned for continuance*; but neither does he find any intimation, that they were not deſign'd for continuance: If he had, we ſhould certainly have heard of it; and to what purpoſe is it to appeal to Scripture, if at laſt we are not bound to obſerve the Precedents there given us? If the Scripture do declare, that the Government of the Church was to continue as long as the Church itſelf (of which no one, that is in earneſt a Chriſtian can doubt) of what Government is this Declaration to be underſtood? of that founded by Chriſt and his Apoſtles, or of any other? If of a Government not founded by them, let our Adverſaries acknowledge that theirs is ſuch; if of the Government founded and ſettled by them, this is own'd to be a Prelatical Form. He does indeed at one place venture to give a Reaſon why this ſhould not be perpetual, but ſuch a one as he does not think fit to own, and therefore gives it in the Name *of ſome Perſons of worth in the Proteſtant Churches*, the Reaſon is, becauſe of *the Withdrawment of thoſe ſupernatural and miraculous Gifts, on which the Pre eminence of ſome above others was founded*: This is a Reaſon uſed by *the Rights* and others, to prove that now there is no divinely Authorized Miniſtry or Government in the Church, and it proves one juſt

Introduct. p. 41.

juſt as it proves the other. A true Chriſtian would rather ſay, that as the *Bloſſoming of Aaron's Rod* prov'd the Primacy of *Aaron* in the Jewiſh Oeconomy, not only for his own Perſon, but for all the Heirs of the High Prieſthood deſcended from him; ſo the extraordinary Miracles wrought by the Apoſtles did not only confirm their Right to preſide in the Church, but that of their Succeſſors to the end of the World. And after all, how does it appear that *Timothy*, and *Titus*, and others, who certainly were inveſted with an Apoſtolical Authority, had more miraculous Gifts and Powers than other Paſtors?

But 'tis further pretended that *Timothy* and *Titus* were extraordinary Officers; that is, ſay they, they were *Evangeliſts*. That Evangeliſts as ſuch were extraordinary Officers, and not deſigned for a Continuance is allow'd; and that *Timothy* has this Title given him is certain, but of *Titus* this is not true. Nor is there any Reaſon to believe that *Timothy*'s Preſidence proceeded from his being an *Evangeliſt*: Not only the *Apoſtle*, but the *Prophet* is placed before this Officer; and it ſeems to me, that this Office was clearly conſiſtent with any other. St. *John* and St. *Matthew* were Apoſtles and Evangeliſts, St. *Mark* a Biſhop and Evangeliſt, St. *Luke* was an Evangeliſt, and yet as is commonly believed one of the LXX. *Philip* was certainly both a Deacon and Evangeliſt, *Act.* xxi. 8. And why might not *Timothy* as well as *Mark*, be

2 Tim. iv. 5.

Eph. iv. 11.

be both a Biſhop and Evangeliſt? We know why Four of theſe are called *Evangeliſts*, namely, becauſe they were ſo well skill'd in the Hiſtory of our Saviours Life and Death, as to give it us in Writing. By parity of reaſon all others called *Evangeliſts*, were ſuch as made it their ſtudy and buſineſs to make themſelves acquainted with our Saviour's Actions, and Sermons, and Sufferings, and to relate ſuch Paſſages of them in the Publick Congregation, as the preſent occaſion required. And this was as uſeful and edifying an Office as any in the Church of God; and it was extreamly neceſſary for ſome Years after our Saviour's Aſcenſion: For it was a good while before the Goſpels were written, and much longer ſtill before they were diſperſed, and Univerſally received: during all this time, the Evangeliſt who could confirm any great truth, add weight to any advice, or reprehenſion, by rehearſing any diſcourſe, or relating any momentous Paſſage of our Saviour's Life and Death, muſt have frequent and great occaſion to exerciſe his Abilities: But when the Four Goſpels were committed to Writing, and were in every one's Hand, this Office of courſe ceaſed. It is not neceſſary to ſuppoſe, that any miraculous Gifts were neceſſary for this Officer, the Holy Ghoſt aſſiſted him only *in calling to remembrance* what he had ſeen or heard by converſing with our Saviour himſelf, or learn'd from thoſe who were themſelves Eye-witneſſes; there-

therefore he is rank'd below *the Prophets*. For it was certainly a more eminent Gift of the Spirit to Fore-tell things to come, than to be able to recollect what was paſt. Eph. iv. 11.

'Tis owned, that during the Apoſtles Life-time, there were many Churches that had only Prieſts ſettled in them, and in thoſe Churches the Apoſtles ſuperintended as Biſhops; in others, where they did ſettle Biſhops, there they themſelves acted as Primates, as in the Churches of *Epheſus* and *Crete*, and thoſe Seven Churches mentioned in the Revelations. And all this is not to be confuted by telling us that the Word Biſhop and Prieſt, or Elder, were of the ſame ſignification in the Apoſtolical Age: For ſo the Word *Cohen* in the Writings of *Moſes*, denotes *Aaron* himſelf as well as his Sons; yet there can be no doubt but *Aaron* had an Authority over the reſt, not only as their Father, but as Prieſt of a Superior Rank, or *High-Prieſt*, as his Succeſſors were called in the latter Writings of the *Old Teſtament*. And indeed if the ſameneſs of Name or Title proved any thing, it would follow, that there was no Officer Superior to that of Deacon; for St. *Paul* calls himſelf Διάκονον, a *Deacon of Chriſt*, twice in one Chapter, *Col.* i. 23, 25. and as often as he is ſtiled a *Miniſter* by our Tranſlators. The Diſpute is not about names, but things, and if there were a real Superiority in the Apoſtles, and their Delegates, over other Prieſts Hebr. כֹּהֵן

Prieſts and Evangelical Officers, this is all that is contended for.

If therefore Prieſts as they are now called, were ever the chief Governours or Paſtors of the Church under Chriſt, it muſt be between the Death of the Apoſtles, and the commencement of theſe Canons: and this indeed is an Age whoſe Hiſtory is very imperfectly handed down to us: and therefore here our Adverſaries take Sanctuary, and would have it thought, that during this time there was a *Reign of Prieſts*, tho' where, or how manag'd, they cannot tell, nor give us ſo much as one clear Inſtance of it. For as to the Story of Twelve Prieſts at *Alexandria*, that did, during this Age, Ordain their Biſhop, or Patriarch, 'tis ſo ſorrily related, and by one who lived ſo many Hundred Years after, and has been ſo effectually confuted by *Hammond* and *Pearſon*, that I cannot ſee with what face Mr. *Calamy*, and others, can inſiſt upon it, without pretending to Anſwer the Objections againſt it, which ſeems to me inſuperable. Tho' if the Story were true, yet ſtill it proves, that even in that Church there was a Biſhop, miſcalled a *Patriarch* by the ignorant relater, that preſided over the Prieſts and Clergy, as well as People.

And even in this Age it has pleaſed God not to leave his Church *without other Witneſs*: For *Clemens Romanus* do's clearly diſtinguiſh between the ἡγούμενοι, and πρεσβύτεροι, and in another place by the High-Prieſt,

Prieſt, Prieſts and Levites decyphers the Biſhop, Prieſt and Deacon in the Chriſtian Church, in his undoubted Epiſtle to the *Corinthians*. He do's indeed uſe the Word ἐπίσκοποι, in the ſame manner that the Apoſtles do for both the Superior Orders; or elſe he uſes that Word in the ſame Senſe that we do now, and by Διάκονοι means all Officers under Biſhops, as we often do by the Word *Miniſter*, which exactly anſwers that *Greek* one.

Ignatius his Teſtimony is ſo clear in our behalf, that our Adverſaries have no way to Anſwer it, but by denying his Epiſtles to be genuine. And if they would in earneſt Anſwer the Vindication of this Book, Publiſhed by *Voſſius*, *Uſher*, *Cotelerius*, and above all by our incomparable *Pearſon*, we would give them leave to triumph; but ſo long as their Arguments for theſe Epiſtles remain unſhaken, ſo long, what the Diſſenters ſay on this Head deſerves no conſideration. Mr. *Calamy* is contented to ſay an unmannerly thing of him, and inſtead of his Learning to ſhew his Breeding. *I could not*, ſays he, *help reckoning any Modern, that ſhould uſe ſuch Language as St.* Ignatius *do's, as one out of his Wits, or a Blaſphemer.* I remember I heard a Gentleman of a *Calibre* with Mr. *Calamy* ſay much the ſame thing of St. *Paul*. This muſt paſs for a groſs Calumny till he be able to prove his Words, which he can never do, except he mean, that *Ignatius* be a Blaſphemer of Mr. *Calamy*'s *Diana*, *Anar-*

Def. Part 2. p. 152.

Anarchy, or *Democracy*. But upon ſuppoſition his Epiſtles are genuine, *He might*, ſays Mr. *Calamy*, *for what I know, magnify the Power of a Biſhop above a Prieſt, as Divine, in oppoſition to thoſe who might perhaps repreſent ſuch difference in Degree (fix'd by humane Prudence to promote Peace and Order) as unlawful:* But St. *Ignatius* would never have thank'd him for this; for he declares to the *Philadelphians*, *the Spirit ſaid unto me, do nothing without your Biſhop*: For the Age of Inſpiration was not yet at an end. However we are beholden to Mr. *Calamy*, for ſuppoſing Epiſcopacy to have been introduced *A. D.* 108. as it muſt have been upon Mr. *Calamy*'s preſent conceſſion; for he is owned to have ſuffered Martyrdom in that Year, and this was but Eight Years after St. *John*'s Death, who lived to *A. D.* 100: So that if ever Presbyterianiſm had a Reign in the Ancient Church, 'twas a very ſhort one. And toward the latter end of this Century we have the United Suffrage of *Origen*, *Tertullian*, *Clemens Alexandrinus*, and *Irenæus*, for the prevalence of Epiſcopal Government: and in this Age many of the Apoſtolical Canons were framed, as the moſt Learned *Cotelerius*, *Du Pin*, and *Beveridge* do unanimouſly aſſert, and as the latter has at large proved.

Ibid. 151.

But now it will be ſeaſonable to conſider, what Share the Prieſts had in matters of Eccleſiaſtical Government; and that

1. In

I. In matters within their own Dioceſe. In caſe any Rules or Canons were to be made or executed either againſt Clergy-men, or Lay-men, that had been guilty of any Crime, there can be no doubt, that Biſhops, eſpecially in more early times, did adviſe with their Presbyteries: For near a Hundred Years after the Apoſtles, the Biſhops had no Collections of ſtanding Rules, or Laws, whereby to Govern the Church in external Matters; and during this time every Biſhop, in prudence, if not in duty, upon all new Emergencies, or rather, while all Emergencies were new, would conſult his ſtanding Council. For the firſt 50 Years after the Death of St. *John* Provincial Synods of Biſhops did rarely meet. The Apoſtolical Canons give Power to any Two Biſhops to expedite all things relating to Elections or Ordinations; becauſe it was hard for them in the Age of Perſecution to meet in greater Numbers. What Correſpondence they had with each other, was chiefly by the Deacons and other Meſſengers, who were ſent from one Dioceſe to another, upon Eccleſiaſtical Affairs; or in their Occaſional Meetings for the Ordination of Biſhops, where they had opportunity of Conferring together, on the Affairs of their ſeveral Dioceſſes. But tho' Presbyteries in this Age were undoubtedly more uſed, as to the Point of Government, than in any of thoſe that came after, yet I dare not be poſitive, that the Biſhop had not Power

to Act without them; nor have I met any one Authority that looks this way. St. *Ignatius* indeed charges the Priests and Deacons to do nothing without their Bishop; but I can't observe, that he charges the Bishop to do nothing without them. Nay, he intimates in his Epistle to *Polycarp*, that it was the Bishop's duty, *to see that his Priests lived in Subjection to him.*

By degrees Bishops began to have Precedents and Rules to Act by; whatever Canons were agreed upon by Bishop and Priests, there is no doubt, but the Bishop might put in Execution, as occasion offer'd: and any neighbouring Bishop knowing and approving those Rules or Laws, made use of them himself; and what Canons had been received by several Dioceses when Provincial Synods began to meet, (as 'tis clear they did, especially in the East, from the middle of the Second Century. See *Tertull. de jejun.* c. 13. *de pudicitia*, c. 10.) were Enacted into Laws, for the whole Province; and some of these, 'tis probable, by degrees became Canons of the Universal Church. It was very much for the Credit and Authority of the Church, that her Proceedings should be Uniform, especially in relation to Censures; and the only way to secure this, was, for the Bishops especially of the same Country, to Act by the same Rule: But by this means it came to pass, that there was little occasion in a few Ages, for a Bishop to consult his Presbytery: For within

within an Age, ſcarce any Caſe could happen, but that it was before-hand ruled by ſome former Canons and Precedents: therefore we have very rare mention of Presbyteries in the following Volume; and there are very few Inſtances in Hiſtory, of Biſhops conſulting them. *Cornelius* Biſhop of *Rome* did indeed call his Presbytery in the Caſe of *Maximus*, and the other Confeſſors; but he adds, that *he had alſo Five Biſhops preſent with him:* ſo that this was rather a diſcretionary Meeting, than a Presbytery, properly ſo called. When *Alexander* Biſhop of *Alexandria* called a Presbytery to condemn *Arius*, he had Deacons preſent with him, as well as Biſhops and Prieſts: Beſides 'tis clear, that *Alexander* had all ready drawn, and ſeems rather to demand their Conſent, than to make them Judge in the matter. He tells them, that *he had called them together, to let them know what he had Written to Foreign Biſhops; and that they might give their Conſent to the Depoſition of* Arius: *For it is fit,* ſays he, *that you ſhould known what I have Written; and that you retain it engraven in your Hearts.* St. *Cyprian* indeed paid a ſingular regard to his Presbytery; and ſo he did to his People: but this muſt rather be attributed to the humble condeſcending temper of the Man, than any Law or prevailing Cuſtom. *I reſolved with my ſelf,* ſays he, *from the time of my entring on the See, to do nothing by my own Perſonal Authority, without the Advice of my Prieſts,*

Cornel. Ep. ad Cypr. 46. Secundum Pamel.

Coteler. Not. in Conſt. Ap. L. 8. c. 28.

Ep. 6.

and Consent of my People. This is so far from proving any Right in Priest or People, that it proves the direct contrary. Our Lords and Commons would, I persuade my self, take it far enough from being a Complement, if any Prince should tell them, that *from the beginning of his Reign, he had resolv'd with himself, to make no Laws nor raise any Taxes without their Consent.*

IIdly, Let us consider what Privileges belong'd to Priests, in relation to the Province, or other Dioceses. The most frequent occasion of Provincial Synods was for the Election or Deposition of Bishops; and as Priests (excepting those of the vacant Church) had no share in the first; so it do's not appear, that ever they had a Vote in the Latter. There were indeed many Priests present at the first Synod of *Antioch*, held against *Paulus Samosatenus*, *A. D.* 265. tho' this was rather a *Conference*, than a Synod, properly so called. In the Synod wherein *Paulus* was Deposed, it do's not appear, that any but Bishops were present: this was Five Years after the other, *A. D.* 270. *Origen*, a Priest of *Alexandria*, was present in the Synod of *Bostra*, and was very useful in convincing *Beryllus*, the Bishop, of his Errors: but if he had been obstinate, whether he would have had a Vote in condemning him do's not appear. 'Tis certain, there were Priests at the Synods of *Eliberis*, 1st of *Toledo* and *Bracara*; but that they Voted do's not appear. In the

Euseb. Hist. L. 7. c. 28.

the Subſcriptions to the Two Latter we have the Names of Biſhops only, which would make one believe, that Prieſts had no Votes there. The only Inſtance I have obſerved of Prieſts being Summoned to Council, is in *Conſtantine's* Letter to the Biſhop of *Syracuſe*, Summoning him to the Council of *Arles*, and ordering him *to bring with him Two of the 2d Throne*; i. e. I ſuppoſe Prieſts: but he adds, and *Two Attendants*; which I hope were not intended to Vote in Council. However the Acts of this Council run in the Name of Maurinus, *Biſhop of* Arles, *and the Synod of Biſhops there Aſſembled*; without any mention of the Prieſts, Deacons, or Inferiour Clergy, of which there were great Numbers there preſent, if we may believe the Liſt of Names prefix'd to this Council which I, by miſtake, call'd *Subſcriptions*, *Part* 1. *c.* 6. in which overſight I follow'd Biſhop *Stillingfleet*, *Orig. Br.* p. 75. There is one thing which makes it probable they did not Vote, which is, that there can ſcarce an Inſtance be given of Prieſts mentioned to be preſent at Council; but that Deacons and inferiour Clergy, if not the People too, are ſaid to be there, tho' with this difference, that the Prieſts ſate, all the reſt ſtood. Many Prieſts attended their Biſhops as Companions, inferior Clergy, and others, as the Biſhop's Retinue. But if Prieſts had an ordinary Right to Vote in Synods, it ought to be determined what

Prieſts; whether all whoſe Biſhops were preſent, or Two or Three to repreſent every Dioceſe, or only the Prieſts of the Church and Dioceſe where the Synod met. And 'tis ſtrange if theſe, or any other Prieſts, were of old thought to have this Right, that we no where find, the Prieſts entering their Proteſtations againſt thoſe many Synods which, ſo far as appears, were held without any Prieſts at all. There is not the leaſt hint of any Prieſts being preſent in their own Right, at any of the Synods, whoſe Canons compoſe the Code of the Univerſal Church; nor at that of *Sardica*, or in the *African* Synods. 'Tis ſcarce to be ſuppoſed, that if Prieſts had been ſenſible of any right they had to be called, they ſhould be wholly ſilent, and never reſent the neglect that was put upon them, in Biſhops holding Synods without them. There are indeed Ten Prieſts who Subſcribe their Names to the Second General Council held at *Conſtantinople*, the Canons whereof you have in this Book; but Five of them Subſcribe expreſly in the Name of the Biſhops, whoſe Repreſentatives they were: and it ſeems moſt probable that the others were Proxies too, eſpecially becauſe of the Words with which the Subſcriptions begin, *viz. The* 150 *Biſhops that met in the Council Subſcribed*; and this Council is often called, the Council of 150 Biſhops, tho' there are not now ſo many Names in the Liſt, reckoning Prieſts and all. The truth is, moſt Subſcriptions

are

are liable to one Exception or other, and therefore no great Dependance on any Argument drawn from them.

I would not have any one from hence inferr, that Prieſts by the Laws of the Church were look'd upon as unqualified to Sit in Councils. We have a great Precedent, *Act.* xv. whereby it does appear, that *Elders*, i. e. Prieſts, did actually aſſemble together with the Apoſtles for the determination of the Queſtion concerning eating Bloud, *&c.* for they were not there as bare Spectators or Approvers, but they joined with the Apoſtles *in conſidering of this matter*, ver. 6. and no one can pretend with a well-grounded Aſſurance, that no Prieſts did ever Sit as Voters with Biſhops in the Ancient Synods; but only, that there was no ſettled Law or Cuſtom of the Church, by which any particular number, or Set of Prieſts could claim this Privilege; but that as in other things ſo in this the Prieſts were not to act but at the Direction of thoſe of the firſt Order, and not to be all of Courſe preſent at Synods, as Voting Members; but only ſuch of them, and upon ſuch occaſions, as the Biſhops thought fit. If a Right can be founded on this ſingle Inſtance of the Prieſts of *Jeruſalem*, it muſt be only for thoſe that belong to that Church or See, where the Synod meets. In a word this Inſtance is ſufficient to prove, that Prieſts are capable of belonging to Synods as conſtituent Members; but, which of that Order ſhall be

choſen to Sit there, muſt be decided either by the Pleaſure of the Biſhops from time to time, or by the Cuſtom of the Church introduced by the expreſs, or tacit Conſent of the Biſhops of each Province or Country for ſeveral Ages paſt.

Upon the whole, I think what I ſaid, *Part* 1. *c.* 16. will hold good, *viz.* that *it is the particular Privilege of Engliſh Prieſts, to have a Right to Sit as conſtituent Members in Provincial Synods, and are owned in all concluſive Acts to have a Negative on the Biſhops.* 'Tis true in ſtrictneſs Abbots ought to have been excepted, who from the 12th Century downward have ſat even in General Councils; but they are Prieſts of a great Elevation, and own'd in all Popiſh Countries to be Biſhops Peers: Here in *England* they Sat with Biſhops, not only in Eccleſiaſtical, but in State-Aſſemblies. And when that Opinion, *that the Order of Prieſts and Biſhops was the ſame*, prevailed in the Church of *Rome*, as it did for 4 or 5 Ages before the Reformation, no wonder that Abbots together with the Habit of Biſhops, had their Honour and Privileges communicated to them by the Pope.

But no part of the Biſhops Power has in all former Ages been look'd on as more peculiar to that Order, than Ordination. St. *Jerom*, in that Epiſtle, where he ſpeaks in derogation of Epiſcopacy, and which is ſo much magnified by the Presbyterians, yet, to their Confuſion, appropriates the Power of Ordination to the Biſhops alone

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which is the first and chief Privilege that our Dissenters would deprive them of. For this is the main Aim of all the Writings of Dissenters on this Subject, to prove, that Priests as well as Bishops may Ordain, or at least that Orders conferred by them are not invalid: and the reason of their Zeal in this Case is very apparent, *viz.* that if Priests cannot Ordain, then none of our Dissenters are duely Commission'd Officers in the Christian Church. The whole Design of Mr. *Calamy's* First Part of his Defence is to justify Ordination by Priests, by Arguments from Scripture answer'd over and again by others; which I shall therefore not repeat. I shall only give the Reader a Taste of his Skill, and Ingenuousness in citing Antiquity. He tells you, that *it was no uncommon thing for Priests to Ordain, even after Priests and Bishops were generally distinguish'd in the Church*, which he would prove from 2 *Canons made to debarr them from conferring Holy Orders.* The Canons he cites are the 12th of *Ancyra* (the 13th as I number them) and the 10th of *Antioch*, which Canons the Reader is desired to peruse in the following Book. He would have it thought that there were several Bishops in the same City, till it was forbid by Canons, but mentions none but the 56th of *Laodicea*, which says nothing of the matter. The 8th of *Nice* does indeed forbid the *Novatian* Bishops upon their Conversion to be received as Bishops, in places where there P. 101.

is already an Orthodox Biſhop, leſt *there ſhould be 2 Biſhops in one City*, which would have been contrary to the ſettled Law of the Church; for the Epiſtles of *Cornelius* and *Cyprian* do demonſtrate, that this was a received Maxim a long time before the Council of *Nice*, and was with the higheſt probability of Apoſtolical Inſtitution. But Mr. *Calamy* no where gives us a more clear Specimen of his Integrity and good Luck in making Diſcoveries in Antiquity, than when he produces the 7th Canon of the 2d Council of *Sevil*, which was held in the 7th Century to prove, that the prohibiting Prieſts to Ordain was a new thing; tho' in the former place he would have it thought to have been done 300 Years before. Firſt, I will preſent my Reader with Mr. *Calamy*'s Abridgment of this Canon, viz. *Let the Prieſts know, that the Power of Ordaining Prieſts and Deacons is forbidden them by the Apoſtolical See, by virtue of Novel Conſtitutions, and to bear up the Dignity of the Biſhops.* Thus he has given you his Senſe of a Canon containing in the Original 48 Lines, according to one Copy, 45 according to another; and yet he has patched up this ſhort Tranſlation by following the ſhorter Copy in omitting thoſe Words, *quadam authoritate veteris Legis, ſome things* (by which the Canon means chiefly Ordination) *are forbid by the Authority of the Old Law*; and by inſerting thoſe words which ſtand at 20 Lines diſtance from the other Words, and are only in the larger Copy, *viz. by the Authority of the Apoſtolical*

cal See. Next I will preſent my Reader with a faithful Tranſlation of the Canon, not at large, but as I have render'd the following Codes. Moſes *alone at the Command of the Lord Erected an Altar; he alone anointed, becauſe he was the High-Prieſt of God, as it is written,* Moſes *and* Aaron *among his Prieſts; what is only enjoin'd the Chief-Prieſts, of which* Moſes *and* Aaron *were a Figure, let not the Prieſts, who were repreſented by the Sons of* Aaron, *aſſume to themſelves: For tho' the Diſpenſation of Myſteries is for the moſt part in common between them and the Biſhops; yet ſome things are forbidden them by the Authority of the Old Law, ſome by Novels and Eccleſiaſtical Canons, as the Conſecration of Prieſts, Deacons and Virgins; as the Erection of an Altar, Benedictions and Unctions. For 'tis not lawful for them to Conſecrate a Church or Altar, or to confirm or reconcile Penitents at Maſs, nor to ſend Formal Letters; becauſe they are not in the Summity of the Prieſthood. The Canons permit Biſhops only to do this, that the difference of Degree, and Summity of the Sacerdotal Dignity may appear. Nor muſt Prieſts Baptize in a Biſhop's Preſence, nor Conſecrate the Euchariſt, nor Preach, nor Salute the People, all which is forbidden them by the Apoſtolical See.* Who would be Drudge to a Cauſe that cannot be maintain'd without ſuch Shifts as theſe? Mr. *Calamy* tells us, that the Reaſons why He and his Brethren *are willing to keep a Succeſſion of Miniſters* among the Diſ- Part 1. p. 190.

Diſſenters are, *that their Worſhip may not ceaſe, nor ſerious Religion die among them, nor their Principles want ſome to defend them.* What their Worſhip is I know not; nor did I ever yet meet a Man of ſound Judgment, who had been preſent at it, and could give me an Account whether their Devotion were conſiſtent, ſound, and agreeable to good Senſe and Religion; and I perſwade my ſelf that their very Orators can ſcarce tell, whether the Prayers they offer be well compoſed or not; and if they are ſo, it muſt be by mere chance, if, as is pretended, they are *extempore*: But if this be ſerious Religion to falſify Authorities and blacken the Church, by miſrepreſenting her Conſtitutions, as Popiſh Impoſitions, let me know what it is that I ſhall call Impoſture and Prevarication? If the Cauſe be no better than this Defence of it, I ſhall leave it to my Reader to give his Judgment.

I proceed briefly to conſider the Plea that has of late been made for the Peoples Power in Eccleſiaſtical Matters. And here I don't pretend to limit the People to ſuch a Degree, as to ſay that the Church, or even the Magiſtrate has Power either by the Law of Chriſtianity, or by any other means to force and drive People whether they will or nay, into Compliance with Eccleſiaſtical Conſtitutions, or even with the Goſpel. Nor do I pretend that they cannot if they will make a General Revolt from the Church, or even Chri-

Chriſtianity itſelf: but my Meaning is to conſider what Power they have, or ought to have in Church-Matters, according to the Charter of the Goſpel, and the Practice and Laws of the Church, upon Suppoſition that they continue in her Communion.

And here the firſt Privilege claim'd for them is the Election of Paſtors. And upon this head it muſt be owned, that the *Eraſtians* and *Presbyterians* talk more plauſibly, and with a greater Shew of Antiquity than on any other. 'Tis freely granted, that in the Ancient Church the People had this Privilege of chuſing their Biſhops in many places, tho' not in all, as will appear from theſe Codes. But here let it be obſerved, that our Adverſaries have only the Practice of ſeveral Ancient Churches to urge in behalf of the People, not one Word from Scripture. And how comes it to paſs that the Ancient Practice of ſome Churches ſhould be of ſo great force when it is ſeemingly againſt us; but that the Practice of the Univerſal Church in all Ages is in their Account of no Value, when it ſpeaks for us.

I ſay they have not one Word from Scripture on this Head. *Matthias* was choſen, as the other Apoſtles were, by Chriſt himſelf. The 120 that nominated him and *Barnabas* were not one fourth part of the Church; for this conſiſted, at the time of our Saviour's Reſurrection, of 500 at leaſt, 1 *Cor.* 15. 6. The Eleven Apoſtles and LXX Diſciples make 81 of this Number; the reſt were probably our Lord's

Lord's Relations, called his *Brethren*, Act. i. 14. of whom *Hegeſippus* ſays, that *they govern'd or perform'd the Office of Paſtors in the Churches.* Suppoſing they were ſome of the Chief of the Laity, or rather Candidates for the Miniſtry, yet this will not ſerve the turn of our *Eraſtians*; for in *chuſing men to Officiate, every one has for himſelf a Negative*, ſays the Book miſcalled *the Rights of the Church.*

Apud Euſeb. L. 3. c. 20.

P. 24.

'Tis true the Apoſtles leave the Nomination of Deacons to the People, *Act.* vi. becauſe they were to be Stewards of the Church-Stock; but theſe Deacons were not *Paſtors*; the Souls of the People were not to be entruſted with them; that Charge had before been committed to the Apoſtles and LXX: But in this, and all other Caſes the Apoſtles had certainly a Negative; they could not be obliged blindly to lay hands on Perſons nominated by the Multitude. The Apoſtles in this caſe limit the People, and give them the Liberty of chuſing ſuch Perſons only as were well quality'd for the Office; and where Biſhops were afterwards nominated by the People, yet ſtill they were obliged to recommend none but thoſe againſt whom no Canonical Objection could be made; nor was ever any one thought a Biſhop becauſe he was choſen by the People, except he were alſo Ordained by the Biſhops.

That Text, *Act.* xiv. 23. where 'tis ſaid truly according to our Tranſlation, that *Paul*

Paul and *Barnabas Ordained Elders* (that is Prieſts) *in every City*, is ſo effectually cleared from the Cavils of the *Author of the Rights*, by Mr. *Wotton* in his *Vindication of his Sermon*, that there is no occaſion for me to ſpeak particularly to that matter. In a Word, whatever Church-Officers were made during our Saviour's Life were certainly Commiſſion'd by him alone. He never conſulted the People, or gave any hint that he intended any ſhare of the Government of his Kingdom to them. When he left the World, he left a Commiſſion with the Apoſtles to be his Repreſentatives, and committed to them the ſame Powers which he himſelf had exerciſed, *as my Father ſent me, ſo*, ſays he, *do I ſend you.* The Apoſtles never ask'd the People's Advice, whom they ſhould Ordain for Paſtors, but created ſome of the moſt early Converts in every Country, where they came to *be Biſhops and Miniſters of thoſe who ſhould hereafter believe.* We have not the leaſt Direction or Hint in Scripture for regulating the Poll, or taking the Votes of the Laity. And where popular Elections did afterwards prevail, it did not proceed from any Opinion of Divine Right belonging to the People, but from the Conceſſion of the Biſhops and Clergy, which by degrees grew into a Cuſtom. It was ſo far from being any Branch of that Liberty, with which Chriſt endowed his Church, that it was rather a Departure from the Pri-

Primitive Inſtitution. And as where the People did or do enjoy this Liberty (which yet I am not ſatisfied that they now do in any part of Chriſtendom) they ought not to be arbitrarily deprived of it: So neither can I ſee what Cauſe there is why this pretended Privilege ſhould be demanded by People which never had it, which is the Caſe of us here in *England*; for I think no ſingle Inſtance of a Biſhop choſen by the People in this Church can be produced.

If any have reaſon to complain on this Head, the Biſhops are the Men: For it is clear they had this Power of old, in whole or in part, with the Clergy of the Dioceſs or ſometimes without them. And if both Biſhops and Clergy are content for the ſake of Peace, and out of regard to our Pious Princes of the Reformed Religion, to leave the Nomination of Biſhops where it is at preſent lodged by Statute-Law, I can ſee no reaſon that others have to repine at it.

'Tis clear, that whatever Evidences are alledged from Antiquity on this Head, relate to the People's chuſing a Biſhop ſuperior to a Prieſt; and therefore nothing to the purpoſe of them, whoſe Cauſe our Patriots pretend to plead, for they are ſo far from deſiring a Vote in the Election of a Biſhop, that, ſo far as in them lies, they have Voted down the very Order. What they ought to prove is, that People have the ſole Right to chuſe the Pres-

Presbyter that is to officiate among them: and here I am perſwaded, that they will find themſelves at a loſs for Authorities both from Scripture and Antiquity; and they do in effect acknowledge it by betaking themſelves to the light of Nature, which was the Caſe too of *Corah* and his Accomplices; they thought it unjuſt that *Aaron should lift himſelf up above the Congregation of the Lord*; that is, be made a Prieſt without the common Suffrage of the People, as *Joſephus* juſtly underſtands that Text, L. 4. c. 2. Theſe were a ſort of Men that throughly underſtood *the Rights of the Church*, and acted upon thoſe Principles. The Divine Appointment and Commiſſion weigh'd nothing with them, for they had not yet choſen their God. Num. xvi. 3.

Whatever Opinion ſome may have of popular Elections, yet all wiſe and good Men have reaſon to wiſh that our Church may never be the Scene of ſo much Violence and Sedition as this would certainly occaſion. Our Diſſenters do exerciſe this Privilege: I don't think that the People of the Church of *England* have any reaſon to envy them in this particular. 'Twere much to be wiſhed, that ſome body would give us a Hiſtory of their Conduct and Methods of proceeding in this Affair, and ſhew us from variety of matters of Fact, how grave and unanimous they are in their Elections; how much Union and Peace have been promoted among them by this means; how much Reputation

putation they have gotten by their calm and discreet Behaviour upon such occasions; what Moderation one Party of them have expressed toward another, when there has been a strong Competition. I am assured that Materials would not be wanting for such a History, whereby it might be made appear, that it is more for the Interest of Lawyers and Chirurgeons that Popular Elections should prevail, than for the Service of Religion.

The Non-conformists, before the late War did vehemently plead for the pretended Rights of the People in this particular; this was always one chief Article of their Demands. The Writings of *Cartwright*, and others of that Stamp are full of this Notion: They make this Principle of the People's chusing their Pastor *the price of our Saviour's Bloud*, so that *no Authority can take it away, nor the People themselves part with it*. *Cann*, in his Book *of the Necessity of Separation*, insists mainly on this particular, *Sect.* 2, 3. *Ball* speaks with more temper; but still lays great stress upon it, so as to make *the Election of the People necessary to the full, compleat Call of the Minister*. Yet when at the Beginning of the Rebellion they had turn'd out many of the Loyal Clergy, the Presbyterians that were sent to succeed them, never ask'd the Consent of the People, no nor the Independents themselves, tho' they had formerly made loud Out-cries against the Presbyterians on this Account. How the

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Presbyterians endeavoured to defend themselves against the Independents, and how the Independents were proved to be in the same pickle, the Reader may inform himself by reading *Hollingworth's Examination of Sundry Scriptures*, Eaton *and* Taylor's *Defence of the Position*, Hollingworth's *Rejoinder*, &c. At last the Assembly was forced in effect to renounce this Divine Right, and to assert that *the Election of Ministers does not of Divine Right belong wholly and solely to the People*; and though they would seem to be very cautious and reserv'd by putting in the Terms *wholly* and *solely*, yet some of the Arguings upon this Head render those two Words of little Importance. See *Jus Divinum Ministerij Evang.* P. 1. c. 8. pag. 126, *&c.* But *Emmanuel Knutton*, in his 7 *Questions discussed*, makes clear Work of it; for, says he, "I "think a Minister may be sent of God "by a Synod of Godly and Learned Di"vines to a Pastoral Charge, though the "People sometimes call him not: As if "he be to Preach the Word in a profane "Parish that desires not powerful Preach"ing, but hates it, and would oppose the "coming in of such a Minister. The Sy"nod may send him to such a place, and God "may bless his Labours to the Conversion "of many there.— There are too many ig"norant Parishes in this Land, who will "hardly ever call Zealous and Godly Mi"nister to them, if our *Blessed Parliament* and *Reverend Synod* have not a Care to send such

ſuch to them, *p.* 9. 'Tis certain that the *Triers* were in effect the Patrons of all Benefices in *England*, as *John Goodwin* ſhews in his *Trier Tried*. *Needham* had no way of anſwering *Goodwin*, but by telling him, that if the People were permitted to chuſe their Paſtor, *the godly and well-affected ones would have the leaſt ſtroak in the Choice:* See (*The great Accuſer caſt down*, p. 40.) and which is moſt pleaſant, *if*, ſays he, *there be no other Supplies made for Pariſhes, but ſuch as the Pariſhioners cordially reverence and affect, the Man to be choſen in moſt Pariſhes would be a Man in a Surplice with a Common-Prayer-Book*, &c. *p.* 43. So that in effect we are to underſtand that the Liberties and Privileges of the People are things to be inſiſted upon and demanded of Kings and Biſhops, not of Protectors and Common Wealths; and that this Divine Right of People to chuſe their own Paſtors, is a Principle neceſſary for the pulling down of our Church, not for the building up one of the Presbyterian, or Independent Model. Mr. *Calamy* ſeems ſenſible of all this; and therefore to give him his due, is ſparing, and truly moderate on this Head, as it he were really conſcious of the Miſ-management and Over-doing, and Contradictions that their Predeceſſors involved themſelves in upon this occaſion.

But the Author of *the Rights* runs out into great exceſſes on this Subject, and among very many impudent things, he ſays
P. 359. one is, that *there is no Inſtance in the Three*

firſt

first Centuries of any one being made a Bi-ſhop, except by the Election of the whole Church; that is the People, in his way of ſpeaking. Now I will preſent him with theſe following, not doubting, but that others on occaſion may be produced.

Upon the Death of James *the Firſt Biſhop of* Jeruſalem, *as many of the Apoſtles and Diſciples of the Lord* (meaning the LXX.) *as were then Living, and the Kindred of our Saviour met together, to chuſe* Symeon *the Son of* Cleophas, *and Kinſman of Chriſt, into that Biſhoprick.* Euſeb. Hiſt. L. 3. c. 11.

When Narciſſus *Biſhop of Jeruſalem retired out the way, the Neighbouring Biſhops appointed another in his ſtead, named* Dios. L. 6. c. 9.

One of thoſe Biſhops, who had Ordained Novatus *at the interceſſion of the People, was admitted to Lay-Communion; but the Synod Ordained Two Biſhops, and ſent them to Succeed in the room of the other Two.* L. 6. c. 42. Circ. med.

In the Epiſtle of the Biſhops met in Synod at *Antioch*, *A. D.* 270. we have theſe Words, *We ejected the ſworn Enemy of God, i. e.* Paulus Samoſatenus, *and placed* Domnus *in his ſtead.*

And tho' I do not queſtion but many more were choſen with the expreſs approbation of the People, and many beſide theſe here mentioned, without either the concurrence, or even the preſence of the People, yet I believe it will be hard for our Adverſaries to give us Five particular Inſtances of Biſhops, ſaid by any good Authors to have been choſen by the People during

during the first 300 Years: For it is by a great chance that any Writers of that Age give us the Circumstances of a Bishop's being Elected.

But when the same Writer asserts, that it is in the Peoples power, to deprive Bishops as well as to Elect them, he exceeds all bounds. That the People are justified by *Cyprian*, and his Synod, for making a Defection from *Basilides* and *Martialis*, is true; and the reason of it is good, and will hold, *viz.* because they had been notoriously guilty of Heathen Idolatry: by this they Deposed themselves, and the Bishops who Ordained *Sabinus* and *Felix* in their stead, did by Ordaining Successors pass Judgment upon their Predecessors: But there were several Bishops in *Spain*, that yet Communicated with *Basilides* and *Martialis*, as the Synodical Letter implies, and probably they did it on supposition, that if they were guilty, they ought to have been formally Deposed by a Synod of Bishop; but manifest Idolatry was a Crime of that Nature, that St. *Cyprian*, and the *African* Bishops, justly thought, that there was no occasion for a solemn Process and Sentence against the Offenders. If it had been only a Suspicion of Idolatry or Heresy, they could not have been Deposed without a Synod: therefore when *Beryllus* Bishop of *Bostra* was accused of Heresy, *A. D.* 243. a Council was called to give Judgment in that Matter. *Euseb.* L. 6. c. 33. If indeed the People did give

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any Eccleſiaſtical Power, there might be a plauſible pretence for taking it away; but it has been ſhew'd, that they cannot give it, nor conſequently take it: tho' neither do's it follow, that becauſe they could give, they could therefore take it away. The Prieſt can Baptize, but he can't Un-baptize; and in truth, tho' Biſhops Ordain, they cannot Un-ordain; they can only by their Cenſures ſo far Depoſe, as to oblige the Delinquent from the Exerciſe of his Function. And yet I dare Anſwer for it, that when our Adverſaries give an Inſtance of any one owned to be a Biſhop meerly on account of his being Choſen by the People, without Epiſcopal Ordination, it ſhall be granted, that the People can Depoſe their Paſtors. That they may in Fact relinquiſh the Communion of the Biſhop, is not doubted; but that they can meerly of their own Heads withdraw their Obedience from him, according to the Laws of Chriſtianity, without ſome flagrant and confeſſed Crime, is denied.

But both our *Eraſtians* and *Presbyterians*, when baffled by Scripture and Antiquity, betake themſelves to Suppoſitions. In caſe, ſay they, a Ship's Company of Chriſtians be caſt on an unknown Shore, without any Paſtor regularly Ordained, and without any poſſibility of returning to their own Country, or to any other place where they may be ſupplied with one, or more, of the Holy Order; they will not permit us to doubt, but that, at leaſt in this Caſe, the People

People have power to chuſe one to Officiate among them. But

1. The ſuppoſition is abſurd, or however improbable to the higheſt Degree. God do's not provide for ſuch contingencies, as can ſcarce be allow'd poſſible.

2. I don't deny but they might chuſe one to read or rehearſe good Prayers, and to give wholſom Advice to the reſt; but I cannot ſee, that they could give him a Commiſſion to Seal the Covenant on God's part, or to Act as his Ambaſſador. If God ſhould by his Providence lay Men under ſuch a neceſſity, he might, and would, diſpenſe with the want of Sacraments.

3. When we are in the ſuppoſing vein, we may as well ſuppoſe too, that they ſhould want a Bible as well as a Prieſt: and what, muſt the People make a new Bible too?

4. Neceſſity juſtifies what nothing elſe can: of this take another Inſtance, Suppoſe theſe Sailors to be Married Men, but to have left their Wives at Home behind them; and being without any poſſibility of returning to them, they take new Wives in the Country, where they are caſt. I perſuade my ſelf, the ſtricteſt Caſuiſt would allow of this: but will any Man from hence argue, that without any ſuch neceſſity, a Man may at diſcretion diſcard a former Wife, and take a new one: the Application is eaſy.

Our Adverſaries, when their hand is in, don't ſtick to aſſert that the People have a Right to Vote in Synods, and they imagine they can prove it from *Act.* xv. but

but on the other ſide let it be obſerv'd, that *Paul* and *Barnabas* were ſent only *to the Apoſtles and Elders*, ver. 2. and they only came together *to conſider of this matter*; the *multitudes* indeed were preſent, as they were in after-times, to give their Acclamations, but that they had any ſhare in the Conſulting or Decreeing Part, do's not appear. The beſt Copies omit the καὶ between Πρεσβύτεροι and Ἀδελφοὶ, *ver.* 23. and then the *Engliſh* Words ſhould run thus, *The Apoſtles and Elder-Brethren*, or the Prieſts [their] Brethren *ſend greeting*, &c. And it would be ſtrange indeed if the People of *Jeruſalem* were to make Decrees for the People of *Antioch*: this cannot be allowed upon the Principles of the *Eraſtians*, or of our Diſſenters. But all this will not content the *Eraſtians*, they will have it, that the People have by the Law of Chriſt an Authority over their Paſtors: their beſt Proof of this is from thoſe Words of St. *Paul*, *Col.* iv. 17. where he orders the *Coloſſians to ſay to* Archippus, *Take heed of the Miniſtry*, &c. as if when a Maſter ſays to his Servant, *Bid my Son obey my Commands*, he muſt be ſuppoſed to give his Servant an Authority over his Children.

I ſhall in the laſt place obſerve, that *binding* and *looſing*, or Excommunicating and Abſolving Penitents, is another Branch of Church Power, committed by Chriſt *Jeſus* to the Apoſtles only; this has been already proved. 'Tis I think readily owned by all wiſe and good Members of our

Church, that the exerciſe of it, by any that do not Act by the direction of a Biſhop, is a remain of Popery. That Prieſts were ſometimes allow'd to do it in the Ancient Church, is clear; but, I ſuppoſe, never without the expreſs Commiſſion of the Biſhop. I don't think fit to take notice of thoſe impious Sarcaſms uſed by the Author of *the Rights* on this Subject. I ſhall only obſerve, that he has here vented his venom very plentifully, not only on the Abuſes of this Sacred Cenſure, but on the very Inſtitution. To be ſhut out from God's Church has always been thought to be a ſore Puniſhment by thoſe that have believ'd a God, and that he has *one Holy Catholick Church* here on Earth. *To be driven out from the preſence of the Lord*, was to *Cain* a Puniſhment *too heavy to be born:* but alas! Sinners were then in a State of Childhood, to be terrified with *Spiritual Scare-crows:* Thoſe of our Age are a more harden'd Iron-race, who cannot think there is any Privilege in being Members of the true Church; who cannot *believe the terrors of God himſelf*, before they feel them.

But if there muſt be Church Cenſures, our Adverſaries are agreed in this, that they are to be inflicted by the People: But I truſt 'tis clear, that the People never had any Commiſſion from Chriſt, to exerciſe either this or any other Church-Power. The only clear Inſtance of an Excommunication in Scripture, was that

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passed on the incestuous *Corinthian*, and that was both Decreed and Relaxed by St. *Paul*; Decreed by St. *Paul* only in *the Name of our Lord Jesus Christ*; Relaxed by St. *Paul* too, but at the request of the *Corinthians*. By whom the Sentence was pronounced is not so clear, only St. *Paul* says 'twas done ὑπὸ τῶν πλειόνων, by *many*, and therefore not by all; or by the Body of the People, but most probably by the *Prophets*, Persons of the Second Order; of which there was a great Number in this Church, as appears from the First *Epistle*, xiv. *Chapter*; the Word may be rendred by *the great ones*: So the Word πλείων signifies, *Matt.* xii. 41, 42. But take it in either Sense, and the *Prophets* are hereby most probably denoted, who, as Presbyters of the Second Order, executed the Commission of the Apostle.

κέκρικα, 1 *Cor.* v. 3, 4.

2 *Cor.* ii. 10.

κεχάρισμαι. 2 *Cor.* ii. 6.

In the following Codes you will meet with this, and all other Instances of Spiritual Authority exercised by Bishops principally, tho' all of 'em upon occasion delegated to Priests, except that of Ordination only. And with all judicious Readers the Authority of these Codes will easily weigh down all the Arguments and Insinuations of our Innovators.

But some think they have effectually silenc'd all pretence to Church-Power, by saying, that 'tis *Imperium in Imperio*, and that Two Independent Powers are inconsistent in the same Nation: But why should they be more inconsistent here in

England than they were formerly in *Judea*, where they for many Ages thrived very well together? *David* and *Solomon*, and their Succeſſors, never found reaſon to complain of the High-Prieſt's Authority in Religious Matters: And this was the Pattern which our Church propoſed to itſelf at the Reformation, according to the 37th Article of Religion. If Two Independent Powers are by expreſs or tacit Compact in League together, and each Power knows and obſerves its Bounds, I can ſee no inconſiſtence or inconvenience in admitting both of them to be exerciſed; but eſpecially there can be no danger, when they that exerciſe the Sacred Power confeſs themſelves as much ſubject to the Civil as any other Perſons whatſoever; and while the Temporal Magiſtrate has the ſole Power of the Sword, and can as he pleaſes reſtrain the Religious Officer, and in effect force the Church to accept ſuch Terms as he thinks fit to give. The Patriarch of *Conſtantinople* did for above a Thouſand Years together exerciſe a much greater Authority *in Sacris* under Chriſtian Emperors, than is now claim'd by our *Engliſh* Prelates, without any notable damage to the State. The *French* Monarchy and the preſent King of *France* have ever been jealous of a Rival Power, and yet do not pretend to limit Eccleſiaſtical Juriſdiction any otherwiſe than by the Canons of the Firſt 4 General Councils: So that the *French* Prelates, tho' they have Sworn Obe-

Obedience to a Foreign Head, yet are permitted to exerciſe a much greater Authority, than our Biſhops either have, or ſeem to deſire: nay, I believe it would appear upon an Examination of particulars, that the *Greek* Biſhops under the *Turkiſh* Tyranny, have really a more unlimitted Juriſdiction over their Clergy and People, than our Biſhops have here in *England*. It is very evident that the moſt refined Politicians are not afraid of Eccleſiaſtical Juriſdiction, when in the Hands of Presbyters, as appears by the late large Conceſſions to thoſe of the North: whereby they have really more Power in the Church of *Scotland*, than all our Biſhops and Convocations have here in this of *England*: So that in truth all the Outcries of the *Eraſtians* againſt Church-Power, in oppoſition to our Church of *England*, ſeem to be only like the Sarcaſms of the *Philiſtines* upon a *Sampſon* in chains, and who, if he had been at Liberty, was terrible to none but ſuch as themſelves.

And after all, when they charge the Clergy with aſſerting Church-Power, as now exerciſed, to be wholly Independent, they do them apparent wrong. The Clergy know better than to deny that the Probate of Wills, and granting Adminiſtrations, and ſome other branches of Authority exerciſed in the Spiritual Courts, are wholly owing to the Conceſſions of our Kings, and the State; they are very ſenſible, that their legal Title to their Main-

tenance, and Subſiſtence, and whatever Privileges they enjoy by the Laws of the Land, are deriv'd from the Beneficence of our Princes and Civil Power; and cannot but know, as well as their Adverſaries, that as to theſe particulars, they have them only at the will and diſcretion of the Queen and Parliament: But as to the Power of Adminiſtring Sacraments, Ordination, Excommunication, they believe theſe to be receiv'd from *Jeſus Chriſt* alone, and that all the Empires and States in the Univerſe combined together, can neither give nor take away this Authority; tho' that they are in any meaſure countenanced or aſſiſted in the Exerciſe of theſe Powers, they gratefully acknowledge to be a favour received from the Temporal Legiſlature.

There is certainly the leaſt reaſon in the World to ſuppoſe, that Eccleſiaſtical Authority can ever be prejudicial to the State here in *Britain*, as it has in former Times, when our Biſhops and Clergy profeſs'd Subjection to a Foreign Head, and claim'd and were allowed an Exemption from the Temporal Magiſtrate. And they that would alarm People with a Talk of the formidableneſs of Church-Power, cannot ſure but laugh in their Sleeves, to find themſelves believ'd: nor is it eaſy to gueſs what they intend by all this noiſe, except it be the utter Subverſion of the Church: But it would have been more frank and generous in the Wolf, to tell

tell the Lamb that he would have her Bones right or wrong, than to bring a falſe and ſelf-confuted Inditement againſt her for troubling the Water, and charging her with things done before ſhe was born.

And here Mr. *Calamy* comes in for a ſhare in what I am now ſaying; for he charges it as a Defect in our Conſtitution, that the Queen and Parliament are excluded from our Convocation: as if 'twere not enough for the Queen in Perſon to have a Negative, and in Parliament to have a revoking or reſcinding Power, which is what our Prince and Parliament have exerciſed, and what the Biſhops and Clergy have ſubmitted to. Introd. p. 67.

III. My Third End in publiſhing theſe Codes was to juſtify the Church, and to ſhew, that our Diſſenters of all ſorts are Men by themſelves. The Particulars which I had in my View, in which I thought our Church might be Vindicated, are

1. The retaining the three diſtinct Orders of Biſhops, Prieſts and Deacons, and them only.

2. The Pre-eminence of Metropolitans over the Biſhops of every Province.

3. The Streſs the Church lays on the Succeſſion of Biſhops.

4. The Enjoining Circumſtances of Worſhip, and other Ceremonies.

1. By theſe Codes our Church is Vindicated in retaining the three Holy Orders, and them only. If indeed we had retained any, or all of the Inferior Orders

therein mention'd, I cannot but think, that theſe Canons had juſtified us in this too, upon ſuppoſition, that we had declared, that they were not ſo eſſential as the other, if we had barely allow'd them, and not made them neceſſary or integral Parts of our Conſtitution; but there is this great difference between the 3 Holy Orders and the other, that the former are every where mention'd as thoſe Degrees of Men whoſe Miniſtrations were known and diſtinguiſh'd, and without which no Church was look'd upon as compleat; but to ſhew, that the Inferior Orders were never thought to be neceſſary in the ſame degree, let it be conſidered

1. That different Churches, or the ſame Church in different Ages has had more, or fewer of the Inferior Orders. *Tertullian* only mentions *Readers* in the *African* Church in his time; *Cyprian*, *Sub-deacons*, *Exorciſts*, *Acolyths*. *Cornelius* Biſhop of *Rome* mentions all the former in his Church, and adds *Oſtiaries*. The Apoſtolical Canons mention only *Sub-deacons*, *Readers*, and *Singers*: The Conſtitutions add *Oſtiaries*. The *Antiochian* Canons reckon *Readers*, *Sub-deacons*, and *Exorciſts*: The *Laodicean* Canons, *Sub deacons*, *Readers*, *Singers*, *Exorciſts*, and *Oſtiaries*; and they are only ſaid to be of the *Eccleſiaſtical* Order, the other three of the *Prieſtly*, ἱερατικοί. I ſhall only add that *Balſamon*, on the 51 Canon of *Baſil*, names *Sub-deacons*, *Readers*, *Singers*, and Θεωροί, thoſe that look'd after the

the Holy Veſſels and Utenſils; whereas Biſhops, Prieſts and Deacons were in every Church without Variation.

2. In reckoning up theſe inferior Orders there is no ſteady *Series* to be obſerved; but ſometimes the *Reader* is placed before the Sub-deacon, ſometimes after, and ſo of the reſt: whereas the three Holy Orders always keep the ſame place, *viz.* Biſhops, Prieſts, and Deacons.

3. For ought appears, any one of the Inferior Orders might perform the Miniſtrations of the reſt, which cannot be ſaid of Biſhops, Prieſts, and Deacons.

4. The Inferior Orders might, and ſtill may be conferred by Prieſts in the Church of *Rome*; but thoſe of the firſt could never be conferr'd by any but Biſhops.

5. In the time of St. *Ignatius* there were none of the 3 Inferior Orders in being, whereas Biſhops, Prieſts, and Deacons occurr almoſt in every Page of his Epiſtles; therefore theſe Inferior Orders could not be of Apoſtolical Inſtitution, as the others certainly were.

6. They were called *Orders* only in a more looſe, improper Senſe. Some *Romaniſts* ſay, that they are rather *Preparations*, than *Orders* properly ſo called. They were Cenſured as Lay-men, *Can. Ap.* 36. for the Biſhop, Prieſt, and Deacon 43. were Depoſed for being Gameſters, but thoſe of the Inferior Orders, and Lay-men, Suſpended from Communion: So that in a Word, none of them have been in all

Churches and Ages; not any of them were ever thought neceſſary: Nor is there any Eccleſiaſtical Miniſtration, but what may be perform'd without them, and they were clearly of meer humane Inſtitution: and by Conſequence which of them ſhall be retained, and whether any of them, is a thing in itſelf indifferent.

But from all this it appears, that our Diſſenters act without any Precedent in forming their Churches; and indeed, properly ſpeaking, they have no ſuch thing as Holy Orders amongſt them, not only becauſe they have no Biſhops, who have the Sole Power of Ordination, or without whom at leaſt no Ordination is good; but becauſe *Order*, Gr. τάξις or βαθμὸς, is a relative Word, and ſuppoſes a Prior, or Poſterior: whereas our Diſſenters pretend only to one ſort of Officers, that is Elders, or Presbyters, which cannot be called an *Order*, but upon Suppoſition, that there is ſome other Spiritual Office either above or below it: But as our Presbyterians have laid aſide Biſhops, ſo far as 'tis in their Power, ſo they have Deacons too; for, tho' they, at leaſt in ſome Churches, have thoſe whom they call by that Name, yet they are only Temporary Officers with them, not created by Impoſition of hands, nor have they any Spiritual Miniſtration aſſigned to them. I ſpeak not of the Antipædo-Baptiſts; for I am not ſatisfied that they have any Uniform Church Government amongſt them.

2. From

2. From theſe Codes the Pre-eminence of Metropolitans over the other Biſhops of the Province is evidently vindicated; for I ſuppoſe there is not any Sett of Canons contained in the following Codes, but gives us a clear Proof that there were ſuch Chief Officers in every Province where thoſe Canons took place; and conſequently, that they were no where wanting, except perhaps in *Scythia*, or ſome remote barbarous Countries, where there was not above one or two Biſhops. When St. *Ignatius* calls himſelf Biſhop of *Syria*, in his Epiſtle to the *Romans*, c. 2. it is moſt rational to ſuppoſe, that he means he was Primate of that Province; for it is ſcarce credible, that there ſhould be no other Biſhop in all that Country, which was ſo large and ſo near to *Paleſtine*, where Chriſt and his Apoſtles firſt appeared. It is certain that *Antioch* was in the Ages ſoon after the greateſt Metropolis in Chriſtendom, next to *Rome* and *Alexandria*: and if, as our Diſſenters imagine, Dioceſes at firſt were much leſs than afterwards, then it is more probable ſtill, that there were then more Biſhops in *Syria*; but that *Ignatius* being the Primate, ſtiles himſelf on that Account *Biſhop of Syria*.

As the Apoſtles, during their Lives, were Primates or Metropolitans over all thoſe Churches where Biſhops were ſettled; ſo this might give occaſion to Biſhops by an Univerſal Conſent to pay an extraordinary Deference to ſome one Biſhop in each Province;

vince; and it is not improbable, that, in ſome places at leaſt, the Apoſtles might ſettle ſome Biſhops to ſuper-intend the reſt, and eſpecially in the remoter Provinces, which they had no hopes of ever viſiting again in perſon. And who more fit for this purpoſe than the Biſhop of the Civil Metropolis, to which Biſhops, as well as other Perſons had frequently occaſion of reſorting; and when they were there, 'twas natural for them to conſult the Biſhop of that place in all difficult Caſes, and to lay before him thoſe Cauſes which they could not ſo effectually determine at home. The Biſhop of the Metropolis by his large Acquaintance and great Intereſt, if for no other Cauſe, we may preſume, would of Courſe be invited to make one at the Elections and Conſecration of Biſhops, and every thing of Moment that paſſed in the Province; and it could ſcarce be imagined, but that this by degrees would draw along with it ſome further Privileges: So that if the Apoſtles had done nothing themſelves toward the ſettling Metropolitans, yet in all probability the Church of itſelf would have fallen into this Method of having one Biſhop in a Province ſuperior to the reſt. But in *Africa* this Privilege was reſerved, not for the Biſhop of the Metropolis, but to him that was of the longeſt ſtanding, how inconſiderable ſoever his City was, only the Biſhop of *Carthage* was the ſtanding Primate of that Province, and had a ſort of Patriarchal Power

Power over the other Primates.

The Power of Metropolitans was not the ſame every where, and in all Ages: 'Tis clear that the Metropolitans of *Alexandria* had a Negative upon their Biſhops in Synod; for when the *Ægyptian* Biſhops were called upon to Subſcribe Pope *Leo*'s Letter in the Council of *Chalcedon*, they excuſed themſelves by ſaying, that *they could not Subſcribe till they had an Arch-Biſhop Elected in the room of* Dioſcorus *lately Depoſed, without whoſe Conſent they could do nothing of this ſort, according to the Cuſtoms of* Ægypt, *confirmed by the Synod of* Nice; and this Plea was allowed by the whole Synod. 'Tis the prevailing Opinion that at the time of the Synod of *Nice*, Patriarchates were not ſet up, and conſequently that the Biſhop of *Alexandria* at that time was but a bare Metropolitan, and yet that even then he had a Negative on the Biſhops of *Egypt*; and if they could not without his Conſent Subſcribe to what was enjoined by a General Synod, much leſs could they without his Conſent Subſcribe to any thing in a Patriarchal, or *Dioceſan* Synod; and the *Chalcedonian* Fathers by allowing this Plea, do by Conſequence acknowledge, that they did not think it incredible or unreaſonable, that a Metropolitan ſhould have this Privilege; but I would have no one from hence inferr, that all Metropolitans had the ſame.

See *Act.* 4. *Concil. Chalc.*

Yet it ſeems clear enough, that Metropolitans had a Negative in Elections of Biſhops;

Biſhops; for the 5th Canon of the Council of *Nice* Decrees, that *he who is made Biſhop, without the Conſent and Judgment of the Metropolitan, ſhall be no Biſhop*; and the 5th declares, that the χῦρ& or *Ratification of all that is done* at an Election *belongs to the Metropolitan.* This χῦρ& has always been thought a Privilege; but if it were only Laying hands on the Perſon choſe by a Majority, without his own Conſent, then the Metropolitan was really but a Miniſter to the reſt in this Caſe: And at this rate the leaſt Biſhop had more Power than a Metropolitan; for the firſt might finally diſſent, the other muſt implicitly Ordain one nominated by the others. 'Tis true the 5th Canon ſays, *let the Majority of Voices prevail*; but 'tis on expreſs Condition, that *all things be fairly and canonically carried*: And who was Judge of this at the firſt Inſtance, but the Metropolitan? And he is expreſly made ſo by thoſe Words, *Let no Biſhop be made without his Conſent. Balſamon* on *Can. Afr.* 13. ſhews that Metropolitans were of old Judges in the Election of Biſhops; that not only the *Conſecration*, but *Confirmation* belong'd to him. The Uſe I would make of this is, that none ought to envy thoſe remains of Metropolitical Power, that are ſtill lodged in the Arch-Biſhops of our two Provinces, but rather to own the Modeſty of our Metropolitans in cheerfully ſubmitting to ſome Statutes, which do in this particular as well as others retrench their Power, rather

ther than bring themſelves and People again under the *Romiſh* Yoke. And I think that both Clergy and People ought to look upon it as a Bleſſing that our Church is under the Direction of the ſame Officers and Governors which the Church enjoy'd, during the pureſt times, that we have a perfect Hiſtory of her Government.

Patriarchs indeed did, in the latter end of the 4th, and in the 5th Century top upon the Metropolitans, and reduced many great Provinces with their Biſhops under the Direction of *one*. But the Patriarchal Power was never admitted in all Countries as the Metropolitical was. We here in *Britain*, and the Cypriots were never ſubject to any Patriarch as ſuch; nor is there any Reaſon why we ſhould hereafter be ſo.

The Pope of *Rome* made early Attempts on the Liberties of the Chriſtian Church; but he could never carry his Point in the Eaſtern Parts of Chriſtendom. He was indeed but too ſucceſsful in his Uſurpations here in *England*; but what Power he claim'd was as pretended *Vicar of Chriſt*, not as *Patriarch of the Weſt*; for he could never ſatisfie himſelf with that Title: And if he claim us as part of his Patriarchate, the Pretence is new; but we ſuppoſe our ſelves by the Council of *Epheſus*, to be as much exempt from the Patriarch of *Rome*, as the Metropolitan of *Cyprus* was from the Patriarch of *Antioch*. In the mean time we have as great Reaſon as ever our Anceſtors had

had in the Reign of King *Edward* VI. to pray, *From the Tyranny of the Bishop of* Rome, *and all his detestable Enormities; Good Lord deliver us.*

By what has been said, it appears, that the Primates or Metropolitans were the Bishops of chief Authority Universally throughout the Christian World in the Ancient Church, and consequently, that all Business was finally to be determined by them; yet not Personally, if it were of extraordinary moment, but in Synod. When the Emperors became Christian, they sometimes heard Appeals from Provincial Synods, or, which was more agreeable to the Oeconomy of the Church, ordered a greater Synod to be called, to hear and decide the Controversy. In a Word, without Metropolitans our Constitution had been less perfect, and not according to the Primitive Platform; and by putting our selves under any Patriarch we should make an alteration altogether unnecessary, and less agreeable to true Primitive Antiquity.

3. Our Church is hereby vindicated in laying a stress upon Succession: For by perusing these Canons, you'll see, what a regard the Ancient Church had to the preservation of it. Scarce any Synod met, but that in their Acts, their Method of proceeding, or their Canons, they act as Men that took the greatest care that none should be admitted Bishops, or to the Holy Orders, but by Bishops only; and that if any invaded the Holy Offices by any

any clancular or indirect means, they ſhould be Depoſed. A great part of theſe Canons were made for regulating Ordinations, eſpecially thoſe of Biſhops, by providing that none ſhould be Ordained, except in extraordinary Caſes, by leſs than Three Biſhops of the ſame Province, with the expreſs Conſent of the Majority of the reſt; that ſtrange Biſhops ſhould not be admitted to join with thoſe of the Province on ſuch occaſions, but thoſe only who were Neighbours, and well known, and the validity of whoſe Orders was not diſputed. And they who have look'd into Church-Hiſtory further, know how jealous both Clergy and People were of the regularity of their Biſhop's Ordination; and how even Schiſmaticks and Hereticks were ready upon occaſion to raiſe Objections againſt thoſe who came into their Sees without the uſual and eſtabliſh'd Forms: and that there were frequent Provincial Synods, whoſe chief Buſineſs it was to enquire into any Omiſſions of this Sort: ſo that one may ſafely pronounce it morally impoſſible for any one to poſſeſs himſelf and continue for any tract of time in a Biſhoprick, but he who came in by the Canonical Method.

But leſt by any extraordinary Caſualty ſome one Biſhop ſhould ſurreptitiouſly intrude himſelf into the Office, the Church has taken care, that his Irregularity ſhould not deſcend to thoſe at whoſe Ordination he concurr'd, by requiring, that no Biſhop

ſhop ſhould be Ordained, except in caſe of neceſſity, but by Three, or Two at the leaſt; that ſo, if it ſhould chance that One of them was not Canonically Ordained, yet ſtill there might be Two, or at leaſt One, againſt whom there could lie no exceptions: And if but One of the Ordainers were really a Biſhop, I ſee no reaſon to doubt, but that the Ordained was ſo too. If indeed there be any difficulty in the Caſe, our Saviour ſeems to require Two at leaſt, *Mat.* xviii. 19. But if there be no Competition, or if One of the Competitors be both more deſerving and more acceptable than the reſt, there is no neceſſity, except what proceeds from Canon Law, for above One: For I ſuppoſe 'tis evident, that one Apoſtle might, and did, Ordain a Biſhop; as for Inſtance, St. *John* Ordained *Euodius* and *Ignatius*; St. *Paul*, *Clement*; and by parity of reaſon, One of their Succeſſors might do the ſame. There are indeed but few Inſtances in Hiſtory of ſuch Ordinations; but the Conſecration of *Enagrius* by *Paulinus* only, was allowed to be valid, tho' he, for peace ſake, were Depoſed from his Biſhoprick: and ſo were thoſe performed by *Auſtin* Arch-biſhop of *Canterbury*, and afterwards by *Ithamar* of *Rocheſter*: and that more Ordainers were ordinarily required, 'tis to be imputed to the care of the Church in this particular. Two or Three Ordainers were required, not to make the Ordinance valid, but Canonical.

Innocentij Pap. Ep. 14. *ad Bonifac.*

Chriſt

Christ *Jesus* has taken more abundant care to ascertain the Succession of Pastors in his Church, than ever was taken in relation to the *Aaronical* Priesthood. This last descended by Inheritance, or Traduction, from Father to Son; and the Right that any Priest or *Levite* had to his Office, depended on the honesty of a Woman, and upon an Action performed in the dark; and the validity of their Ministrations upon the Legitimacy of their Birth: and how could the Sons of *Aaron* certainly know that they were his Posterity, or how could they be able to demonstrate it to others? certainly upon no Principles but what are more dubious than those upon which we believe our Bishops to be the Successors of the Apostles, in an uninterrupted Line: For in this case, the Succession is transmitted from Seniors to Juniors, by the most publick and solemn Action, or rather process of Actions, that is ever perform'd in a Christian Church; an Action done in the face of the Sun, and Attested by great Numbers of the most authentick Witnesses, as Consecrations always were. And I suppose it cannot bear any dispute, but that it is now more easily to be prov'd, that the Arch-bishop of *Canterbury* was Canonically Ordained, than that any one Person now living is the Son of him who is called his Father; and that the same might have been said of any Arch-bishop or Bishop that ever sat in that or any other Episcopal See, during the time

time of his being Biſhop: nor is it eaſy to ſay, by what Method Providence could have made the Succeſſion of Paſtors more clear or indubitable than by this which has actually been uſed. Yet hideous outcries are made by the Modern Adverſaries of the Church, concerning the Uncertainty of the Succeſſion. And no wonder if the profeſſed Enemies of the Prieſthood take up any cry againſt Religion and its Miniſters: But that they who aſſert a Goſpel-Miniſtry ſhould join in with them, is matter of ſurprize, eſpecially becauſe they don't inform us of any other Method, whereby the Paſtors may prove their Commiſſion, or ſhew by what Authority they Act in the Name of Chriſt *Jeſus*. Nay, the great Champion of the Diſſenting Cauſe, Mr. *Calamy*, do't, after all his Declamations againſt the Church on this ſcore, reſolve the Call of the firſt Reformers, and of himſelf and his Brethren into this very Principle. *As for* Luther, Zuinglius, Bucer, Oecolampadius, *and many others*, ſays he, repeating the Words of *Whitaker*, *they were Authorized teachers in the Church of* Rome; *and that they might therefore warrantably ſet others over the Churches. I make the ſame Reply*, adds he, *to thoſe who enquire, how we came by our Call to the Adminiſtry? Many of thoſe, whom they in* 1662. *thought fit to caſt out of the Publick Churches, were Ordain'd in the Church of* England *by Biſhops; and tho' others were not ſo, yet their Ordainers were*: Nay, further, he declares in theſe Words, *That they*

Def. Part 1. p. 71.

wh

who ſet apart others for the Miniſtry by a Solemn Inveſtiture, be duly Authorized, is a thing that we lay a ſtreſs upon. Now one would think that after all this, he and his Brethren, were agreed with the Church in this point, *viz.* that we ought to have a great care to preſerve the Succeſſion inviolable: and why ſhould he, or any one elſe think, that the Ancients were not as ſolicitous as they, or we, as to this particular. Ibid. p. 110.

'Tis ſtrange after all this, to obſerve what Clamours Mr. *Calamy* makes againſt the Church, for allowing the Ordination received from *Popiſh* Biſhops, and diſallowing that which is received from *Proteſtant* Presbyters, whether at Home or Abroad. He do's not think fit to argue; but allows himſelf all the Liberty of a popular Orator, in aggravating and laying the worſt colours on this practice of the Church; and in this too he is followed, or rather out-done by *the Rights*. But that we may diſtinctly, and without prejudice, conſider this matter, the Church in this Caſe is to be blamed, either for allowing Ordination by a *Popiſh* Biſhop, or diſ-allowing Ordination by *Proteſtant* Preſbyters; or if the Church be not blameable either upon one Account or the other, it muſt be own'd to be meer Cavil. Def. Part 1. p. 63, 64. & 236.

Now ſure there can be no fault in allowing Ordination receiv'd from *Popiſh* Biſhops; our Diſſenters, if we may judge by Mr *Calamy*, do the ſame. They allow the

the plea of *Cartwright*, *that* Luther, Zuinglius, *&c. were Ordained in the Church of* Rome, *and might therefore Ordain others*, as it is juſt before cited. For ſure 'tis no greater fault to derive our Succeſſion from Biſhops Conſecrated in the Church of *Rome*, than for others to derive theirs from Prieſts Ordain'd by ſuch Biſhops: Why then ſo many bitter Invectives againſt the Church of *England*, for doing that which other *Proteſtant* Churches have done, if they don't now do it as well as we. If we allow'd their Ordination to be good, as all *Proteſtants* did in the Reign of Queen *Elizabeth*; pray, why is it not ſo in the Reign of Queen *Anne?* Mr. *Calamy* in the place afore-cited, derives the Succeſſion of the Diſſenting Miniſters from our Biſhops. *Many of thoſe caſt out* 1662, *were Ordained in the Church of* England *by Biſhops*; *and tho' others were not ſo, yet their Ordainers were:* And by deriving their Succeſſion from that of the *Engliſh* Biſhops, they derive it from *Rome* too. And if they do lay a ſtreſs upon Succeſſion, as they pretend, let them ſhew how 'tis poſſible for us, or for any other Church on this ſide of the World, to carry our Succeſſion up above the Reformation, without taking the Church of *Rome* in our way: let them ſhew how we can reject or annull Orders given by a *Romiſh* Biſhop, without rejecting and annulling our own Ordination, and conſequently theirs too.

It

It remains therefore, that if the Church is blameable, 'tis for not allowing Ordination perform'd by Proteſtant Presbyters; and if it could be made appear, that any Presbyters of the ſecond Order, inferior to Biſhops, were ever allowed to have the Power of Ordination by any Act of the Church, by any clear and well-recorded matter of fact; or that any but thoſe of the firſt Order in the Apoſtolical Ages, or ſince, till the Age of *Luther*, were ever allowed a Power to conferr Holy Orders, it would deſerve our Conſideration: But it is certain they have not one Precedent of this ſort from Antiquity, that will bear being related in plain *Engliſh*; and as to what they alledge from Scripture, 'tis all built upon wrong Surmiſes and Suppoſitions. But I don't here pretend to Dictate to my Spiritual Guides: If the Convocation can be convinced, that they, as a Provincial Synod, have Power of Diſpenſing with a Law of the Univerſal Church for once, without pretending to annul it (for that is not in their Power) if they have any probable grounds, that they ſhall thereby put an end to an old Schiſm, without giving Riſe to a new one, I ſhall by all means deſire to ſee it done, for Peace is a moſt deſirable thing: But Mr. *Calamy* ought not to think that the Biſhops and Clergy of the Church are to be rallied, or harangued into a Compliance, or to be frighted with his falſe Fire. 'Tis not to be wonder'd, that he is in a great heat upon

upon this occaſion more than once; for if they could carry this one Point, they would in effect carry their Cauſe.

But we are told with great vehemence, that by this Judgment and Practice we Unchurch all foreign Proteſtants. Now ſuppoſe this, I think it would be an uncommon Act of Generoſity in our Biſhops and Clergy to renounce their Rights and Privileges, becauſe the Enjoyment of them was inconvenient to others. Sure 'tis poſſible for us to ſhew our Charity toward them in a better manner, than by countenancing them in an Error; and the beſt Charity would be to communicate this Privilege to them, which certainly our Biſhops are ready to do, whenever they are deſired. In the mean time we are willing to make all reaſonable Allowances for thoſe Prejudices, or Miſtakes, or Difficulties, which may hinder them from embracing ſuch an Offer; for ſure 'tis poſſible to be moderate without betraying our Conſtitution.

4. By theſe Codes our Church is vindicated in enjoining Circumſtances of Worſhip, and other Ceremonies; for by peruſing them you will ſee that the Ancient Church very frequently did the ſame. A great deal is ſaid by Mr. *Calamy* upon this Head, meerly *ad faciendum populum*, to catch the Vulgar. *Are our Lord's Inſtitutions defective, that we muſt add to them? are we wiſer than he?* And yet he owns that Chriſt has left the Circumſtances of Worſhip

Introduct. *p.* 14, 15.

Worſhip and Sacraments undetermined. The very ſame Queſtions might have been put to the Apoſtles, if there had been then any Diſſenters of Mr. *Calamy*'s Spirit, when they ſet apart the *Lord's-Day* for Divine Worſhip; when St. *Paul* orders the Men to wear their Hair ſhort, the Women long; and that they ſhould be veiled, when they prayed or propheſied: And the very ſame Apology which would ſerve the Apoſtles, will likewiſe juſtify our Biſhops, till Mr. *Calamy* can prove, that the Apoſtles did this by particular Revelation; and ſhew, if they did act by Revelation, why thoſe Injunctions are not as neceſſary to be obſerved now, as they were then. Will Mr. *Calamy* tell us, that the Kiſs of Charity was required to be uſed among Primitive Chriſtians by Revelation? But were it ſo or were it otherwiſe, let us only ſuppoſe it were enjoined in our Church: I perſwade my ſelf that it would meet with as much oppoſition even as the Surplice, or Croſs in Baptiſm. And yet, if it were in the Apoſtles time enjoined by Revelation, I ſhould think that for that reaſon it ſhould ſtill be uſed; and if it were not enjoined by Revelation, why may it not now be commanded as well as it was then? But the great Grievance is that Ceremonies are ſo ſtrictly enjoined; and that Men cannot Communicate with the Church, unleſs they can ſubmit to them. Let Mr. *Calamy* prove that any one could Communicate in the Apoſtolical Church,

Introduct. p. 6, 7.

that refuſed the Kiſs of Charity, or to join in the Love-Feaſts, or any other External Uſage of the Church. Let them ſhew, that in the next Age after the Apoſtles any one could be Baptized without the Trine Immerſion, or confirm'd without the Holy Unction.

But Mr. *Calamy* calls our Church to an Account *for the diverſity of her Ceremonies* from thoſe of the Ancient Church. He asks *what is become of the Milk and Honey* in Baptiſm, *of the Water mixt with Wine* in the Euchariſt? and very large he is on this common place, as if either the Primitive Church or ours ever thought Ceremonies unalterable; or that they ought to be the ſame in all Churches and Ages. What we of the Church have always aſſerted is, that every Biſhop in his Dioceſe has Power in theſe things, except where he is reſtrained by the Canons of a Provincial, or Greater Council; or ſince the Church and State are united, by any Civil Law or Statute; and we are ſo far from thinking any meer Ceremony neceſſary in all Times and Ages; that on the other ſide Mr. *Calamy* can't be ignorant of the Declaration of our Church, that they are all *alterable*, and that *every Country may uſe ſuch Ceremonies as they think beſt.* The Publiſher of theſe Codes is in himſelf as little fond of Ceremonies, as any Man that is true to the Conſtitution; but he cannot be indifferent as to the Authority, by which they are enjoined; and he

Def. Part 1. p. 139. &c.

thinks

thinks himſelf as much obliged to conform to Kneeling at the Sacrament, and to have his Children croſſed at Baptiſm, as he ſhould have been, if he had lived in the Apoſtles Days, to give, and take the Kiſs of Peace, to wear ſhort Hair; or to abſtain from Bloud; and if I did not think I was bound in Conſcience, yet I ſhould think my ſelf bound in Prudence, and for Peace ſake to ſubmit to them, except I was able to prove them unlawful.

The only ill Conſequence Mr. *Calamy* can name of conforming to the Ceremonies is, that *it would cheriſh an Impoſing Spirit*, in the Governors of our Church. 'Tis worth the Reader's while to know what he means by an *Impoſing Spirit*: Our Biſhops at the Reformation laid aſide ſome hundreds of Ceremonies, and only retained thoſe 4 or 5 concerning which the Diſpute now is. The old *Puritans* refuſed Conformity to theſe too, and demanded an Abolition of them; and they and their Deſcendents, of whom Mr. *Calamy* is not the leaſt, continue to call this remainder of 4 or 5, by the name of *Impoſitions*; while they themſelves have all along in their own Intentions been the real *Impoſers*, they would put upon us the Diſcipline and Government of the Church of *Geneva*, or *Scotland*, inſtead of the Ancient Catholick Government already receiv'd, they would, and have, even *vi & armis*, Depoſed our Biſhops, and even Epiſcopacy itſelf, ſo far as 'twas in their Power, condemned our Liturgy, ſubverted our Conſtitution, and all under pretence of a great Introduct. P. 52

that refuſed the Kiſs of Charity, or to join in the Love-Feaſts, or any other External Uſage of the Church. Let them ſhew, that in the next Age after the Apoſtles any one could be Baptized without the Trine Immerſion, or confirm'd without the Holy Unction.

But Mr. *Calamy* calls our Church to an Account *for the diverſity of her Ceremonies* from thoſe of the Ancient Church. He asks *what is become of the Milk and Honey* in Baptiſm, *of the Water mixt with Wine* in the Euchariſt? and very large he is on this common place, as if either the Primitive Church or ours ever thought Ceremonies unalterable; or that they ought to be the ſame in all Churches and Ages. What we of the Church have always aſſerted is, that every Biſhop in his Dioceſe has Power in theſe things, except where he is reſtrained by the Canons of a Provincial, or Greater Council; or ſince the Church and State are united, by any Civil Law or Statute; and we are ſo far from thinking any meer Ceremony neceſſary in all Times and Ages; that on the other ſide Mr. *Calamy* can't be ignorant of the Declaration of our Church, that they are all *alterable*, and that *every Country may uſe ſuch Ceremonies as they think beſt*. The Publiſher of theſe Codes is in himſelf as little fond of Ceremonies, as any Man that is true to the Conſtitution; but he cannot be indifferent as to the Authority, by which they are enjoined; and he

Def. Part 1. p. 139. &c.

thinks himself as much obliged to conform to Kneeling at the Sacrament, and to have his Children crossed at Baptism, as he should have been, if he had lived in the Apostles Days, to give, and take the Kiss of Peace, to wear short Hair, or to abstain from Bloud; and if I did not think I was bound in Conscience, yet I should think my self bound in Prudence, and for Peace sake to submit to them, except I was able to prove them unlawful.

The only ill Consequence Mr. *Calamy* can name of conforming to the Ceremonies is, that *it would cherish an Imposing Spirit*, in the Governors of our Church. Introduct. p. 52. 'Tis worth the Reader's while to know what he means by an *Imposing Spirit*: Our Bishops at the Reformation laid aside some hundreds of Ceremonies, and only retained those 4 or 5 concerning which the Dispute now is. The old *Puritans* refused Conformity to these too, and demanded an Abolition of them; and they and their Descendents, of whom Mr. *Calamy* is not the least, continue to call this remainder of 4 or 5, by the name of *Impositions*; while they themselves have all along in their own Intentions been the real *Imposers*, they would put upon us the Discipline and Government of the Church of *Geneva*, or *Scotland*, instead of the Ancient Catholick Government already receiv'd, they would, and have, even *vi & armis*, Deposed our Bishops, and even Episcopacy itself, so far as 'twas in their Power, condemned our Liturgy, subverted our Constitution, and all under pretence of a great

Averſion to *Impoſitions*. You may call Ceremonies by what Name you pleaſe; but they are really innocent things, at leaſt ours are ſo; whereas Diviſion weakens our Diſcipline, and even our Civil Government caſts a reproach upon our Reformation, and our Common Chriſtianity; and has made more Atheiſts and Deiſts, than perhaps any thing elſe whatever. And whereas he tells us, that this *Impoſing Spirit is always growing where it is indulged*, that is as much as to ſay, that if they complied with the Church in the Ceremonies already enjoined, the Queen, Parliament, Biſhops, and Convocation would ſtill be admitting more, which ſhews their good Opinion of their Temporal Governors, as well as Spiritual.

Introduct. p. 53. He tells the Biſhops, that *by looking back they might ſee the miſchief they had done, and the Diviſions they had created by their Impoſitions:* So the Lewd Boy when he had ſet his Mother's Houſe on fire, becauſe ſhe had corrected him for refuſing to ſay his Prayers in that manner, and at that time that ſhe had ordered him, cried out, *See Mother what comes of your hard Uſage of me*. Ceremonies could have done no more harm here than in other Nations, particularly where the *Lutheran* Religion prevails, if we had not had a ſett of Men, whoſe chief Buſineſs it has always been to enflame the People againſt them. The *Engliſh* People have no more natural Averſion to Ceremonies than any of their Neighbours; but are harangu'd out of their

Duty by their Leaders. As for the People I heartily pity them; we cannot ſhew too great Tenderneſs and Charity to a very great part of them. 'Twould be happy, if we could diſtinguiſh betwixt the Captors and the Captives.

In fine, we have in theſe Codes the Government now eſtabliſh'd in our Church confirm'd by the Unanimous Suffrage of the Ancients; for it will appear upon an impartial Survey, that there is no Church under the Heavens that does more reſemble the Primitive Platform. And our Diſſenters amongſt unprejudiced Poſterity will have the Glory of endeavouring to ſubvert it. Mr. *Calamy* ſeems to pleaſe himſelf with a fancy, that with his *Moderate Nonconformity* he has done her Buſineſs; what elſe could prompt him to erect another Imaginary *National Church* in her ſtead? In this he was certainly too haſty, at leaſt while our Good QUEEN's Eyes are open. And if the Church may be allow'd to Survive till his, or his Brethren's Arguments prevail againſt her, I dare preſage ſhe will prove Immortal. Introduct. p. 89.

As theſe Codes are a very conſiderable Proof of the Soundneſs of our Conſtitution; ſo they will ſhew that our Diſſenters had none in the Ancient Times that reſembled them, but thoſe who were ſtigmatized with ſuch Names as they cannot endure to have apply'd to themſelves, and which we do by no means delight to beſtow upon them. I have been often thinking, which Canon of all theſe Collections

does moſt ſeem to favour them; and that which at firſt ſight ſeems to ſpeak moſt on their ſide, and on which Mr. *Calamy* flouriſhes ſo much, is the laſt Canon of *Nice*, which *obliges all People to ſtand on the Lord's Day in Divine Worſhip*; but then on ſecond thoughts I conſider, that if they had lived in thoſe Ages and Places where this Canon prevailed, they muſt, according to their Principles, have uſed Kneeling, Proſtration, Sitting, or any Poſture but Standing; for if they had ſtood, they had been guilty of that Crime of which they ſeem more afraid than any other, *viz. of cheriſhing an Impoſing Spirit.* The Chriſtians of the *Nicene* and Primitive Ages were of the ſame Principles with us of the Church of *England*: And if they had lived in our Church and Age, they would have uſed the Poſture now enjoin'd, which is Kneeling; and if we had lived in that Age, we in Compliance with the Authority of the Church would have ſtood at Prayers; for they are greatly miſtaken to think that 'tis a Ceremony or Circumſtance for which we contend. No, 'tis for Principles of Peace and Obedience.

Defence, *Part* 1. *pag.* 140.

V. The *Fifth*, and Laſt End which I propoſed to my ſelf was, that both Clergy and Laity by looking into the Ancient Polity of the Church may the better underſtand their own, and have ſome Rules whereby to govern themſelves in dubious Caſes. *They that offend their Brethren—by Uſury* are by the CIXth Canon of our Church

Church to be preſented by the Church-Wardens. Some ignorant Men have from thence Inferr'd, that all who lend Money upon Intereſt are hereby made liable to Eccleſiaſtical Cenſures; but this proceeded only from want of Knowledge in the Ancient Canon-Law; for by that it will appear, that 'tis only enormous Uſury, which makes People liable to be preſented: The XVIIth Canon of the Synod at *Nice*, from whence all Canons upon this Subject in after-Ages took their Riſe, only forbids the Uſe of 12 *per Cent.* and 50 *per Cent.* and other unreaſonable Arts of Extortion; the Church never intended wholly to prohibit moderate and Legal Uſury. The Church does now, as ſhe has always done, make it a Rule never to hold a Publick Faſt on the *Lord's-Day*. If we ſeek for any Modern Canon to this purpoſe, we ſhall be diſappointed, but by looking into the Codes of the Primitive and Univerſal Church, you will find, that this was a ſtanding Rule amongſt the Ancient Chriſtians. See *Can. Ap.* 54. 66. *Gang.*

18. No Biſhop with us is Ordained without 2 or 3 other Biſhops aſſiſting the Metropolitan, not by virtue of any Modern Canon, or expreſs Rubrick, but according to the Ancient Settled Law of the Church Catholick: See *Can. Ap.* 1, *&c.* So all Clergy-men do generally forbear Marrying in *Lent*, not that there is any Canon forbidding it now in force in our Church; but by reaſon of an Univerſal Cuſtom firſt

introduced by the 52d Canon of *Laodicea*. So that ſome of theſe Canons ſeem ſtill to be in force, by the conſent of all Churches, that have any regard to Antiquity. *Chriſtopher Juſtellus* in his Epiſtle Dedicatory to his *Bibliotheca Juris Canonici*, tells his Friend *Leſchaſterius*, that "the Rights of "the *Gallican* Church are Founded on the "firſt Four General Councils; and that it "is an Ancient and Authentick Tradition "in the Parliament of *Paris*, that all In-"novations and Uſurpations of the Pope, "and his Clergy, are to be regulated by "them; and that by theſe they Govern "themſelves in receiving Appeals from "the Spiritual Courts.

In ſome caſes our preſent Code of Canons and our Rubricks are ſilent, as whether the Prieſt in Baptizing ſhall uſe three Immerſions, or affuſions, or but one: therefore in this caſe the Clergy-man, I ſuppoſe, cannot follow a better Rule than that preſcribed by the Primitive Church, which is, to repeat the Immerſion, or Affuſion, at the mention of every one of the Divine Perſons. I am ſenſible that ſome particular Men and Churches have uſed one Ablution only; but the Authority of particular Men and Churches is not to be laid in the Scale againſt that of the Code of the Primitive Church. See *Can. Ap.* 42. 50. and the *Decrees* of the General Council of *Conſtantinople*, which Condemns *Eunomius*, *for uſing but one Ablution*. See *Can.* 7. *Conſt.*

'Tis

'Tis true where Clergy-men have directions given them by their preſent Canons or Rubricks, they are to ſeek for no other. For they have by their Subſcriptions obliged themſelves to obſerve the Rubricks, and by their Oaths to obey the Biſhop according to Canon: and therefore no doubt but our preſent Canons are more to be regarded by the Clergy, than even thoſe of *Nice*. The Diſſenters make great Remonſtrances againſt the Oath of *Canonical Obedience*; for which I can ſee no juſt Cauſe: if Clergy-men were ſworn to obey all the Canons, 'twere a very harſh Oath indeed; but they are Sworn only to obey the Biſhop according to Canon, that is, when he requires any thing of you enjoined by the Canon; but a great difference is to be made between prohibitive and preceptive Canons. You are always under the Obligation of the former, (unleſs they be Antiquated by a long nonuſure) ſo far at leaſt, as to be liable to Cenſure if you diſobey them; as for Inſtance, thoſe Canons whereby you are forbid *to Marry at any Hour, but between 8 and 12 in the Forenoon*; or to hold *Faſts, Prophecyings, or Exorciſms*. See *Can.* LXII, LXXII. But the other, called preceptive Canons, do not oblige Clergy-men to actual Obedience till the Biſhop think fit to enforce them by his ſpecial Injunction; ſuch is the LXXIV Canon, whereby Clergy-men are ordered *to wear Gowns with ſtanding Collars*: For whatever is forbid, is what

has been found of very ill conſequence to the Church, and therefore diligently to be avoided for the future: Whereas things that are injoined, have ſometimes little other reaſon, than the Will of the Law-maker.

I cannot here do otherwiſe than take notice of a curious piece of Antiquity, with which Mr. *Calamy* obliges his Readers on this Head, which is, that the Oath of Canonical Obedience was forbid Clergy-men by the 13th Canon of the Council of *Chalons*, *A. D.* 813. But here too he cites the Canon with his uſual fidelity, that is, he leaves out the firſt Words of the Oath, by which the Clergy-men were forced to Swear, that *they were worthy*, [*viz.* of Orders] *and that they will do nothing againſt the Canons; and be obedient to the Biſhop that Ordains them, and that Church in which they are Ordained.* No wonder that an Oath with ſuch enſnaring Words at the beginning of it ſhould be forbidden; and the laſt Words of it ſeem to be an unreaſonable addition. It is very probable that this Canon was deſigned againſt thoſe ſtrowling *Scotch* Biſhops who Ordained any for Money, mentioned *Can.* 43. and who, becauſe they had not Learning enough to examine the Clerk, made him Swear, that he deſerved Orders.

Def. Part 2. p. 302.

Further, If a time ſhould come again, when Alterations in the Externals of Religion ſhould be under the Conſideration of our Church Governors, here private Clergy-

Clergy-men, and Lay-men too, may learn how to direct their Judgments in reference to ſuch Alterations as ſhall be propoſed; and that is, always to incline to that ſide which will bring us nearer to the Primitive State, rather than to that which affects Novelties, ſo far as we may without endangering the Peace of the Church and the Common Safety. As for Ceremonies, a good Chriſtian will be very little concern'd: but as he would forego thoſe we have for the ſake of a ſafe Peace with thoſe of one Party, ſo he'd be willing to ſubmit to as many more, on condition, that he could thereby gain Peace with another. There is one thing in which all good Men muſt own that an Alteration might be made very much for the better, and that is, in reſtoring Diſcipline. 'Tis true we are not altogether deſtitute of Diſcipline; and they who object this defect againſt us, for ought I could ever ſee, want the Practice of it, as well as the Church do's: But it will make a pious Chriſtian full of reſentment, to ſee how ſevere the Primitive Diſcipline was, how remiſs and indifferent our own. I am told the *Eraſtian* Party have a Deſign *here* to begin their Attack upon the Church; and inſtead of Penance, to oblige the Delinquent to Pay a certain Sum of Money toward the Publick Neceſſities of the State. Thus thoſe who are concerned may ſee, that the abuſe of Diſcipline by Lay-Chancellors, eſpecially the allowing of Commutations of Penance, gives a handle to thoſe who

who are disaffected to the Church, wholly to strip her of the Exercise of this Power, and to entrust it for the future in other Hands; and all this under a specious pretence of the *Publick Good*. I have but one thing more to offer upon this Head, and that is, that whenever Discipline is restor'd, it be with this express Condition, that no Money be Paid by Rich or Poor; but the whole Process transacted *Gratis*: For 'tis clear, that all corruption, remissness and defect in Discipline, has proceeded chiefly from that accursed root the love of Money, which ought therefore for the future to be banish'd from the Spiritual Judicature.

Some have with vehemence insisted, that whenever Alterations are to be made, the first Collect in the *Post-Communion* should be inserted between the Consecration and Administration, or some *Prayer of Oblation* added in that Place. Now, tho' I am fully convinced that the Eucharist may as justly be called a *Sacrifice* as any, save that offered on the Cross, yet I can see no necessity for any such Alteration. The Consecration-Prayer, and the Words used by the Priest at the Administration, seem sufficient, if rightly understood and applied. In the Consecration Prayer *Christ* is said, *by the Oblation of himself upon the Cross, to have made a full and perfect Sacrifice*: and in our Saviour's Words of Institution, inserted into this Prayer, *the Bread* is call'd *his Body, given, i. e.* Sacrificed *for us*; *the Wine, his Blood shed* as a libation *for us*, i. e. *for the remission*

remiſſion of our Sins, as follows preſently after. Nothing then can be more clear, than that the Euchariſt is hereby declared to be a Sacrifice; and in the Words of Adminiſtration, the merits of it are apply'd to every Receiver, *The Body of Chriſt which was given* for thee (and is now exhibited to God in thy behalf) preſerve thy Body and Soul to *eternal Life*: No wiſe Man is for Alterations, but in caſe of apparent neceſſity, which I cannot perceive in the matter now before us. 'Tis true the Euchariſt is ſo commonly ſtyled the *Oblation* or *Sacrifice* in the following Codes, that if the Prayer of Oblation had continued in the place where it was firſt fix'd in *Edward* VI's Time, it might very well have been juſtified by the common Practice of the Ancient Church, and even by the Scripture itſelf: But I fear that an Alteration of this ſort, as things now ſtand, might be attended with no good Conſequences.

And whereas in the main, I cannot but think, that the Canons of the Ancient Church were excellent Rules of Diſcipline and Government; yet in one particular I muſt confeſs, that they ſtand in need of an Excuſe, that is, diſcountenancing the Marriage of thoſe that were in the Three Holy Orders. The truth is, the Sentiments of the Governing Part of the Church ſeem to have been overborn in this particular, by the prevailing Opinion of the Vulgar, *viz.* That there was a ſort of Turpitude in Conjugal Embraces. And this is not to be

wonder'd at, considering the great Swarms of Hereticks that wholly declared against Marriage, as the Followers of *Saturninus*, the *Eustathians*, the *Hieracites*, the *Menandrians*, the *Cataphrygians*, and several others. We know by sad Experience, that the Opinions of the professed Enemies of the Church do too much prevail among them, who do not renounce her Communion. No wonder therefore that the Pastors of the Church thought fit in some measure to make allowances and concessions to the prejudices of the Vulgar. It appears by the 4th Canon of *Gangra*, that it was a prevailing Opinion among Men in those Days, that *the Eucharist ought not to be taken from the Hands of a Married Priest*. The Bishops shew'd their courage in Condemning that Opinion, and their prudent compliance in discouraging the Marriage of Priests, so far as they could in reason, least the People should leave the Catholick Church, and go to the Heretical Assemblies under pretence of receiving the Ordinances *in greater Purity*. And it would have look'd odd indeed in those Ages, when Virginity was look'd on as the greatest Perfection, and the Laity did as it were by strifes run into Monasteries, if the Clergy had done nothing at all to shew their regard to Continence, and the Single Life. 'Tis clear to me, that even in the 7th Century the Clergy (especially in the East) were far enough from any fondness to Celibacy, or Living Unmarried. The Council of *Trullo* clearly intimates,

timates, that in that Age, even Biſhops in *Africa*, and other Places, lived with their Wives; and that many Prieſts were Married a Second time. 'Tis true, the Council forbids this for the future; but they plainly tell you, that it was *at the Emperor's deſire*, not thro' their own inclination. They don't condemn the Biſhop's co-habiting with his Wife as ſinful, but as offenſive; nay, they plainly reproach the *Barbarian* Prieſts, that is, thoſe in *Scythia* and *Ruſſia*, for abſtaining from their Wives. See *Can. Trul.* 3, 6, 12, 13, 30. It further appears, that theſe Fathers could not be brought to the high flights of the *Roman* Church, which even in thoſe Ages forbad conjugal co-habitation to the Sub deacon, and all Orders above that. Opinions have their Periods, Viciſſitudes and Revolutions, as well as other things. The reigning Opinion of theſe Ages was, that even the conjugal Duty was not conſiſtent with perfect Purity: As the prevailing Opinion of this Age, on this ſide of the World, among the unlearned Part of Mankind, is, that the fewer Ceremonies a Church has, the more Pure ſhe is. I have not at preſent time to diſpute the caſe, but ſhall leave it to my Reader to determine, which is the more plauſible Opinion of the Two. I cannot but give the preference to the more Ancient.

And further, when I ſpeak honourably of theſe Codes, I would not be ſo underſtood as to be thought a Friend to many things mention'd in the Papal Decrees, and

even

even in the Canons of *Trullo* and *Sardica*. But 'tis time that I proceed to ſhew,

In what manner I have performed this Work; and here

1. I have inſerted no Canons but what belong'd to the Codes, and of theſe I have not omitted any. Mr. *Calamy* runs out into a long common place tranſcribed from Monſ. *Daillee*, of 10 Pages together, complaining of the Writings of the Ancient Fathers, and leſſening their Authority.

Defence, *Part* 1. from *Page* 125 to 135.

1. As differing in Points of Doctrine from us, and all Proteſtants, He ought to have ſhew'd that their Faith was different from ours: As for matters of Opinion, there was a great Latitude in the Ancients, as well as amongſt us; but we learn the Doctrines of the Church from the Councils and Synods, rather than from particular Fathers.

2. As having many ſpurious Writings attributed to them; but here they may converſe with, and receive Evidence from the Fathers met in whole Bodies together, Evidences of which there can be no doubt but that they come from them, whoſe Names they bear. There is but one Collection of Canons which has ever been ſuſpected, and that is of thoſe called Apoſtolical; but even they have been aſſerted by ſo many Learned Pens, that I perſwade my ſelf our Diſſenters will not dare attack them, unleſs it be by a Rehearſal of Monſ. *Daillee*'s Arguments, which have been already anſwer'd by Biſhop *Beveridge* and

Cote-

Cotelerius; and it ought not to be paſſed over in ſilence, that they have diſcoverd an unanſwerable Teſtimony for theſe Canons from the Acts of the Council of *Conſtantinople*, held by *Nectarius*, *A. D.* 394. where the *Apoſtolical Canons* are cited by *Nectarius* Biſhop of *Conſtantinople*, A. D. 394. in a Synod of Biſhops, to prove that *a Biſhop ought not to be Depoſed by two, but by a Synod*, referring clearly to the 66 of thoſe Canons: This is a Demon- 74 ſtration that *Daillee* is in an Error when he denies that there were any more than 50 of theſe Canons extant in this Age; and that theſe 50 were not made till about this time. If *Nectarius* cited, and the whole Council approved the Canon numbred 66 then 'tis evident, that there were 74, more than 50; and if theſe Canons were known, and owned by the Name of *Apoſtolical Canons*, by a Synod of the moſt conſiderable Biſhops of the World; not only *Nectarius* of *Conſtantinople*, but *Flavianus* of *Antioch*, *Helladius* of *Cæſarea* in *Cappadocia*, *Theophilus* of *Alexandria*, *Gelaſius* of *Cæſarea* in *Paleſtine*, *Gregory Nyſſen*, &c. as it is very evident they were; then I ſuppoſe it needs no Proof, that they were in being long before, and had been received under the Name of *Apoſtolical Canons* time out of mind, ſo long that none of thoſe Aged Biſhops queſtioned the Authority even of one of thoſe which are moſt ſuſpected. *Alexander* of *Alexandria* cites the $\frac{15}{18}$ of theſe Canons againſt thoſe

those Bishops who received *Arius* after he was Deposed by him, and that before the Council of *Nice*; and *Constantine the Great* cited the 14. 11. in Commendation of *Eusebius* for refusing to be translated from the Bishoprick of *Cæsarea* to that of *Antioch*: And 'tis true those Authorities are of a more ancient Date than this of the Synod of *Constantinople*; but they don't reach to the latter part of the Canons, which have been most objected against, as this other does. You have the Acts of this Synod of *Constantinople*, in the first Volume of Bishop *Beveridge*'s *Pandects*, p. 678, 679. not in the *Volumes of Councils*. As for the Papal Decrees, I do not publish them with a design to use them as Authorities, or to shew the true Ancient Government of the Church, but merely because they fall within that Period of Time mention'd in my Title-Page.

3. As very obscure; but on the other side the Evidences here produced are of that Nature, that our Dissenters will have no Cause to complain of them, unless it is because they are too clear and bright; and as to the main, cannot be obscured by any Mists or Clouds which they can raise. If there be any dark Passages in these Codes, 'tis there you shall find our Adversaries taking Sanctuary. If it had not been for a Canon or two, whose various Lections have made them less plain, Mr. *Calamy* had had nothing to say

y for himſelf in point of Antiquity; will appear to him that conſiders what have ſaid in the Notes on *Can. Anc.* 13. *Int.* 10. but there is one thing which was orgotten on that occaſion, which I there-ore inſert here, *viz.* that whereas Mr. *Ca-amy* every where argues on ſuppoſition hat the *Chorepiſcopi* were mere Prieſts. Monſ. *Blondell*, the Great *Blondell* ſo mag-ified by Mr. *Calamy*, does ſet himſelf to onfute this Opinion, in his *Apology*, p. 95, 27. and has evidently proved the con-rary to what Mr. *Calamy*, to ſerve a pre-ent turn, is pleaſed to aſſert, *viz.* That hey were Biſhops of the Superior Order.

4. As not giving us the Senſe of the Univerſal Church; but if the Fathers do ot, theſe Codes certainly do, eſpecially the Code of the Univerſal Church, which uſed n Ancient Synods to be laid in an emi-ent place next to the Holy Bible.

I have not publiſhed any of the *French* or *Spaniſh Canons*; for by them you can't know what was the Diſcipline or Government t the Church in General, or of any great Branch of it: but only of thoſe Dioceſes whoſe Biſhops were preſent at the making hoſe Canons, nor ſcarce of them. As or Inſtance, the Synod of *Arles* in *France*, eld *A. D.* 314. is ſaid to have had three *Britiſh Biſhops* preſent at it; and yet we re ſure that the Canons there made were ot receiv'd in *Britain*; for when *Auſtin* ame firſt into this Iſland, the Chriſtians e found here were *Quarto-decimans*, that is,

is, kept the Feast of *Easter*, not according to the Western, but the Eastern Mode. Yet the first Canon of this Council Decrees *Easter* to be observ'd *as it is over all the World*, i. e. on the *Sunday* after the Full-Moon; and further requires *the Bishop of* Rome *to direct his Letters to all, giving an Account when it shall be observed*; whereas at *Austin's* Arrival it is clear that the *British* Bishops had no Correspondence with him of *Rome*; so that if we had Bishops there, yet, it seems, the Canons there made did not take place in this Island. Nor are we to suppose that the Second Council of *Arles* was of greater Authority than the First; and consequently when the Fifth Canon of that Council charges *the Metropolitan in disputed Cases* upon the Election of a Bishop to *join with the Majority*. We are not to suppose that this Canon could cancel or annul the 4th and 5th of *Nice* before mention'd, though in truth the Metropolitan acted rather as a Judge, than an Elector or Voter; but yet so as to be under the Correction of a Greater Synod.

I desire it may be further observ'd, that none of the Canons of the Primitive or Universal Code were made in *Italy*, or the *West*, but chiefly by *Greek* and *Eastern* Bishops, and in Councils held in their Countries; at which it is not credible that any number of *Latin* Bishops were present, excepting at the General Councils. And the first Ancient *Latin* Code con

conſiſted wholly of *Greek* Canons, with thoſe of *Sardica* only added to them: And as old Heathen *Rome* receiv'd its Laws from *Athens*, ſo Chriſtian *Rome* itſelf in the Primitive Time receiv'd its Canons from *Greece* and the *Eaſt*. As for the Canons of *Sardica*, they were had in reputation with the *Eaſterns*, not for any Opinion they had of the Pope and Weſtern Biſhops, but on the Account of him for whoſe ſake they were made, *viz. Athanaſius*: For when the Orthodox Faith prevailed in oppoſition to that of *Arius*, *Athanaſius* who had been the chief Aſſerter of it, was thought a Perſon to whoſe Memory they could not pay too much Honour, and the Canons made for his Safety had a Place given them, even in the *Greek* Code. The *African* Church had a great and deſerved Reputation in the early times; and therefore their Code of Canons was received both by the Eaſtern and Weſtern Churches, though the *Africans* Symbolized more with thoſe of the Eaſt, than of the Weſt. Though the Churches of *Spain* and *Gaul* made many Canons, yet they never had ſo great a Reputation as to be received into any of theſe Codes, nor even thoſe few that were during thoſe Ages made in *Italy*: And what is moſt of all to be admired, all this time there was not one Canon made at *Rome*, except you'll call them Canons which you have in the latter part of this Book under the Name of *Decretals*.

I pro-

is, kept the Feaſt of *Eaſter*, not according to the Weſtern, but the Eaſtern Mode: Yet the firſt Canon of this Council Decrees *Eaſter* to be obſerv'd *as it is over all the World*, i. e. on the *Sunday* after the Full-Moon; and further requires *the Biſhop of* Rome *to direct his Letters to all, giving an Account when it ſhall be obſerved*; whereas at *Auſtin's* Arrival it is clear that the *Britiſh* Biſhops had no Correſpondence with him of *Rome*; ſo that if we had Biſhops there, yet, it ſeems, the Canons there made did not take place in this Iſland. Nor are we to ſuppoſe that the Second Council of *Arles* was of greater Authority than the Firſt; and conſequently when the Fifth Canon of that Council charges *the Metropolitan in diſputed Caſes* upon the Election of a Biſhop to *join with the Majority*. We are not to ſuppoſe that this Canon could cancel or annul the 4th and 5th of *Nice* before mention'd; though in truth the Metropolitan acted rather as a Judge, than an Elector or Voter; but yet ſo as to be under the Correction of a Greater Synod.

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consisted wholly of *Greek* Canons, with those of *Sardica* only added to them: And as old Heathen *Rome* receiv'd its Laws from *Athens*, so Christian *Rome* itself in the Primitive Time receiv'd its Canons from *Greece* and the *East*. As for the Canons of *Sardica*, they were had in reputation with the *Easterns*, not for any Opinion they had of the Pope and Western Bishops, but on the Account of him for whose take they were made, *viz. Athanasius*: For when the Orthodox Faith prevailed in opposition to that of *Arius*, *Athanasius* who had been the chief Asserter of it, was thought a Person to whose Memory they could not pay too much Honour, and the Canons made for his Safety had a Place given them, even in the *Greek* Code. The *African* Church had a great and deserved Reputation in the early times; and therefore their Code of Canons was received both by the Eastern and Western Churches, though the *Africans* Symbolized more with those of the East, than of the West. Though the Churches of *Spain* and *Gaul* made many Canons, yet they never had so great a Reputation as to be received into any of these Codes, nor even those few that were during those Ages made in *Italy*: And what is most of all to be admired, all this time there was not one Canon made at *Rome*, except you'll call them Canons which you have in the latter part of this Book under the Name of *Decretals*.

I pro-

Church, that ſo we may for the future avoid whatever gave occaſion to thoſe Corruptions.

2. To ſhew the Neceſſity there was of a Reformation, and a Separation from the Church of *Rome*; the next Step we ſhall take, will be into the Mire and Filth of Image-Worſhip, and perfect Popiſh Tyranny, which two things alone ſufficiently demonſtrate the Reaſonableneſs and Neceſſity of a Reformation.

3. I ſuppoſe it will be ſome Gratification to the curious to know the Practice of the Church, when ſhe was in the moſt polluted State, eſpecially becauſe out of this Darkneſs ſome Light will ſhine, ſome Inſight will be given into the Hiſtory of the Church in thoſe middle Ages.

4. Further, the Uſefulneſs of this Work will appear, if it be conſidered, that we ſhall meet with a great deal of Information and excellent Rules of Diſcipline, even in the Popiſh Canon Law, and the very Council of *Trent* itſelf.

5. But I ſhall endeavour to render it particularly uſeful to thoſe of our Church, by having eſpecial regard to all the Canons and Conſtitutions made in *England*; and ſhall end with *An Eſſay toward the Code of the Canons of the preſent Church of* England, and ſhall ſhew which of the Canons made before the Reformation are ſtill in force.

A

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☞ The Aſterisk [*] at the Beginning of any Canon ſhews, That the Canon ſo markt is tranſlated at large without any Abridgment or Omiſſion.

THE

THE CANONS

Commonly Called

Apoſtolical or *Eccleſiaſtical.*

PREFACE.

THESE Canons *are called* Apoſtolical, *becauſe they contain the Diſcipline of the* Apoſtolical *or* Primitive *Church: Some of the Ancients as well as Moderns have believed that they were framed by the* Apoſtles *themſelves, or at leaſt that they are the very Rules obſerved by them, and drawn up in Form by St.* Clement *Biſhop of* Rome, *who converſed with them: But the moſt Learned and Judicious Papiſts, as well as Proteſtants, do aſſert, that they were neither dictated by the Apoſtles, nor collected by St.* Clement, *nor by any one Perſon or Synod; but were Compoſed by ſeveral Synods in the Decline of the Second, and in the Third Century, and Collected not all at once; but as they were made, ſome after others, and that they were the Rule of Diſcipline, or* the

Code of Canons for the Primitive Church, *or however for the* Eastern *Part of it.*

The late Primitive Bishop Beveridge *has with great Labour proved, that there were many Synods held in the Second and Third Century; that 'tis very clear that some of these Canons were made by those Synods; and that 'tis in the highest degree probable that the rest were so too; that St.* Athanasius *and St.* Basil *the Great do refer to them, as* Ancient Ecclesiastical Canons; *and that they are spoken of by several Synods in the Fourth Century, particularly by the most famous Synod of* Nice, *and that of* Antioch.

Dionysius Exiguus *inserted into* the Code of the Western Church *the first* 50 *of them according to his Account, but omitted the other, either because they were not extant in that* Greek *Copy from which he Translated them, (they being, as was before intimated, Collected at several times) or because he thought some of the remaining Canons would be offensive to the Bishop and Clergy of* Rome, *as contradicting the practise of that Church in the Age that he lived. The* Synod of Trull *reckons expresly the whole* 85 *Canons as part of their* Code.

These Canons are by most divided into 85; *but by* Cotelerius, *and some others, into* 76: *I follow this last Division, but as I go along I shew my Reader, by the Figures in the Margin, the other Division: As to the Substance or Words of the Canons, there is little or no variation.*

Apostо-

Apoſtolical Canons.

1. LET a Biſhop be Ordained by two, or three Biſhops, a Prieſt by one Biſhop, and ſo likewiſe a Deacon, and any other Clergy-man. 1, 8

This is a very inſtructive Canon, for here the intelligent Reader will obſerve,

1. The three Holy Orders retain'd in our Church diſtinguiſh'd from each other.

2. The Power of Ordination reſerv'd to the Biſhops only.

3. That two Biſhops are, in caſe of neceſſity, ſufficient to Ordain a new one: Nay, *Auſtin* Firſt Arch-Biſhop of *Canterbury* did, by the Direction of *Gregory* Biſhop of *Rome*, Ordain *Mellitus* Biſhop of *London*, and *Juſtus* of *Rocheſter*, without the Aſſiſtance of any other Biſhop, much more may one Biſhop, without Prieſts Ordain a Prieſt: and tho' it be the preſent Practice of the Church of *England* for all the Prieſts that are preſent to Lay on Hands at the Ordination of a Prieſt, yet 'tis clear from this Canon, that this is not eſſential to the conferring of Prieſts Orders: *Titus* by himſelf was to *Ordain Prieſts in every City* of *Crete*, and ſo was *Timothy* at *Epheſus*.

4. Here you have all that attend at the Altar called *Clergy-men*, a Name ſo much envied of late to the Evangelical Officers, which yet was

rarely given by the Ancients to any but thoſe of the Inferiour Orders under Deacons.

5. 'Tis evident, that when theſe Canons were Penn'd, there were other Clergy-men beſides Biſhops, Prieſts, and Deacons, *viz.* *Singers* and *Readers*, which are mention'd by *Tertullian* in the latter End of the Second, and by St. *Cyprian* in the Third Century, who adds *Sub-Deacons*.

3, 4, 5. * 2. Let the Biſhop or Prieſt be Depoſed, that offers at the Altar any thing beſide the Inſtitution of the Lord, as Milk, Honey, Strong-Drink, inſtead of Wine, Birds, Animals, or Pulſe, excepting only the firſt Fruits of Corn, and Grapes in their proper Seaſon, and Oil for the Lights, and Incenſe for time of the Holy *Oblation*: All other Fruits are to be carried to the Biſhop, and Prieſt's Houſe; and 'tis known that the Biſhop and Prieſts are to give Portions to the Deacons, and other Clergy.

'Tis clear from this Canon, that the Bread and Wine for the Communion were offer'd to Almighty God in the Primitive Church. *Irenæus* in the Second Century ſpeaks of this Practice; this is ſtill retained in our Church: for after the Alms for the Poor, and other Devotions of the People have been humbly preſented, and placed upon the Holy Table by the Prieſt, as alſo ſo much *Bread and Wine, as he ſhall think ſufficient*, the Prieſt ſhall ſay, *Almighty and Everlaſting God*——— *We humbly beſeech thee moſt mercifully to accept our Alms and Oblations*: for as the Word *Alms* relates to the Money collected by the Poor, ſo the Word *Oblation* referrs to the *Bread* and *Wine*, which is in this Canon called *the Inſtitution*

of our Lord. The offering of First Fruits in the Church is mention'd also by *Irenæus*; and as for *Lights*, they were absolutely necessary in the Church while Christians held their Assemblies in the Night, or before Day, as they were forced to do during the times of Persecution. Bishop *Beveridge* shews from *Hippolytus*, who wrote in the beginning of the Third Century, that the Use of *Incense* in the Church was introduced before that Time; and 'tis evident from this Canon, when it was used, *viz.* at *the time of the Holy Oblation:* And here it is to to be observed, that not only the presenting the unconsecrated Elements to God was called an *Oblation*; but that the Consecration itself was attended with a solemn Presentation of the Symbols of the Body and Blood of Christ to the Father; therefore this Holy Memorial was called a *Sacrifice*, an *Oblation*, &c. and the Holy Table an *Altar*: but it was not reputed a *Sacrifice expiatory for the Sins of Quick and Dead*, as it is now in the Church of *Rome*.

* 3. Let not a Bishop, Priest or Deacon turn away his Wife under Pretence of Religion under pain of *Suspension from the Communion*, and Deposition, if he persist. 6.

Balsamon says, that in the *Greek* Church even Bishops were permitted to retain their Wives till the Council in *Trull*, that is, such Wives as they had Married before they were Ordained Sub-Deacons. *See* Can. 19.

I turn the *Greek* ἀφορίζεσθαι *being suspended from Communion*; for I suppose this will appear to be the Meaning of it from *Can.* 10. He that is finally or indefinitely Excommunicated is said to be *wholly cut off from the Church.* Can. 21, 22. *See also* Can. 17. And it is to be observed

that the Degrees of Censure in the Apostolical Canons are these, *viz.*

1. Ἀφορίζεσθαι, to be Suspended from Communion; then, if he be a Clergy-man,

2. Καθαιρεῖσθαι to be Deposed, and

3. Both Clergy-men and Lay-men for very great Crimes, ἐκβάλλονται are cast out of the Church, to which they could not be restored without Penance.

As these Three Degrees of Penance are every where visible, so no where more than *Canon* 47, 48, 49, 50.

And in this Place 'tis very evident, that the Ἀφορισμὸς, was a less Punishment than Ἀφαίρεσις, and therefore must have been only a Suspension from Communion, for a perfect Excommunication is a much greater Punishment than Deposition.

E * 4. Let not a Bishop, Priest or Deacon undertake any Secular Employ, upon pain of Deposition.

Bishop *Beveridge* shews from St. *Cyprian*, and others, that by *Worldly or Secular Employs* we are to understand Soliciting in Law-Suits, travelling to Fair, and Marts, driving Trades, or pleading Causes, except in Defence of Widows or Orphans: But whatever honest Business Clergy-men engage in for the necessary Defence, or Good of the Church comes not under this, or any other Canon. When they go to Synods or State-Assemblies to see *nequid Ecclesia detrimenti capiat*, they are about their Holy Mother the Churches Business, if not their *Heavenly Fathers* too.

E 5. If any Bishop, Priest or Deacon Celebrate the Holy Feast of *Easter*, before the Vernal

Vernal Æquinox, as the *Jews* do, let him be Depoſed.

The *Jewiſh* Calculations were very faulty; their ordinary Year conſiſted only of 354 Days, ſo that for the moſt part their Paſſover which they kept on the 14th Day of the Month *Niſan*, muſt fall a conſiderable time before the Vernal Æquinox, which the Primitive Chriſtians juſtly look'd upon as the Beginning of the Natural Year. Once indeed in 84 Years they intercalated one Month of 30 Days; but this was not enough, for in 84 Years time they loſt 32 Days, as Biſhop *Beveridge* has obſerved: ſo that when their Account was at the beſt, 'twas two days at leaſt too ſoon, and ſometimes above a Month. It may be obſerved that this Canon does not condemn thoſe who kept it on the 14th Day of the Firſt Month regularly calculated: And 'tis not improbable that it might be framed by thoſe who did ſo obſerve it, as the Eaſtern Chriſtians of the firſt Ages generally did, eſpecially thoſe in *Aſia*; tho' in after Ages they that kept *Eaſter* in this manner were univerſally condemned, and called by the *Latines*, *Quarto Decimani*; and *Eaſter* was by common Conſent celebrated on the Sunday following the firſt Full Moon after the Vernal Æquinox. But this Canon ſeems to be directed againſt them only, who followed the Erroneous Calculations of the *Jews*. There were at the latter End of the Second Century ſeveral Councils held concerning this Affair at *Rome*, and *Gaul* in the Weſt; *Pontus*, and *Paleſtine* in the Eaſt. This Canon was probably made by one of the latter Synods: but tho' there were ſeveral Diſputes concerning the Critical Day on which *Eaſter* was to be kept; yet all unanimouſly agreed in this, that this Feaſt was to be obſerved.

6. If any Bishop, Priest or Deacon, or any of the Sacerdotal Catalogue do not communicate, when there is an Oblation, let him be suspended from Communion, except he have a just Excuse, as one that gives Offence to the People, and as reflecting on him that makes the Oblation, as if he did not perform it as he ought.

Oblation here, and throughout these Canons signifies the Holy Action of Consecrating, and offering the Sacramental Body and Blood of Christ. *See Note on* Can. 2d.

10. * 7. It is fit that all Communicants, who come into the Holy Church of God and hear the Scriptures, but do not stay for Prayers and the Holy Communion, be suspended from Communion, as occasioning Confusion in the Church.

Communicants, throughout this Book stands for the *Greek* πιστοὶ, which tho' it be commonly render'd *faithful*, yet I think is at least for the most part more commodiously rendred *Communicants*, *i. e.* those Christians, who have been Baptized, and Confirmed, and admitted to Communion, as distinguish'd from the Clergy, Catechumens, and Penitents.

11. * 8. If any one pray together with one that is out of Communion, tho' in a private House, let him be suspended from Communion.

12. * 9. If any Clergy-man join in Prayer with a Deposed Clergy-man, as a Clergy-man let him be Deposed.

A

As a Clergy-man, i. e. as owning his Miniſtrations to be valid, or allowable. The Depoſed Clergy-man was to be treated as a Lay-man in all reſpects.

*10. If any Clergy-man, or Lay-man, being ſuſpended from Communion, or † Excommunicated for ſome groſs Crime, and not yet admitted to Penance, go out of his own City and be received in another without Commendatory Letters, let them who receive him be ſuſpended from Communion, and he, who is ſo received; but if he were before ſuſpended, let the time of his Suſpenſion be lengthen'd, becauſe he has put a Fallacy upon the Church of God. 13.

† Gr. ἀποκοπῆς. See *Can. Nic.* 11. *in Not. & Can. St. Baſil* 81.

The Uſe of *Letters Commendatory* was very early in the Church; St. *Paul* mentions them, 2 *Cor.* iii. 1. And 'tis not eaſy to be conceived, how Diſcipline can be reſtored, but by the reviving of this Practice. 'Tis ſurely Irregular to admit all Chance-comers to the Communion, who, for ought we know, may ſtand Excommunicated by their own Biſhop; of the Difference between *Commendatory*, and *Pacific* and *Formal* Letters. See *Can. Calc.* 11. *Apoſt.* 25, 26. *Ant.* 6. *Sardic.* 13.

From this Canon it appears, that the Word ἀποριζομαι ſignifies in theſe Canons only *to be ſuſpended from Communion* for ſome certain time; for if the Perſon going to another City had before been Excommunicated indefinitely, how could the time of his Excommunication have been lengthen'd. See *Can.* 17.

14. " 11. Let not a Biſhop be allowed to leave his own Pariſh, and leap into another, tho' he be violently importuned by many, without ſome juſt Cauſe compelling him ſo to do, on the Account of his Ability to bring greater Advantage to the People there by his godly Doctrine; and [let this be done] not of his own Head, but by the Judgment of many other Biſhops, and at their moſt earneſt Entreaty.

Pariſh, ſo I render παροικία, becauſe 'tis evident, that this *Engliſh* Word is deriv'd from that *Greek* one: but the Reader is to obſerve, that it does in all the *Greek* Canons denote what we now call a *Dioceſe*. See *Can.* 12, 27.

Neither this, nor any other Canon does abſolutely condemn *Tranſlations* of Biſhops, eſpecially when done for the good of the Church: nor can I think it a fault for a Biſhop, who by his Charity and Generoſity has reduced himſelf in a poor Dioceſe to accept of a *Tranſlation* to a richer, in order to enable himſelf to do more good, or perhaps to do Juſtice to his Creditors. 'Tis certain, as things now ſtand, that a poor Biſhop is capable of doing very little good in his Station.

15, 16. 12. If a Prieſt, or Deacon, leaving his own Pariſh, go to and continue in another, without his Biſhop's Conſent, let him only Communicate as a Lay-man: and if the Biſhop to whom he goes receive him as a Clergy-man, and perſiſt in ſo doing, let him be ſuſpended from Communion, as being a Maſter of Miſ-rule. See *Can. Calced.* 10. *Afr.* 54.

Here

Here obſerve, that he who goes from one *Pariſh* to another is ſuppoſed to go alſo from one Biſhop to another, there being no ſuch thing in thoſe early times as a Prieſt acting independently of any Biſhop, and the Biſhop and Clergy living together in a Body in the City, or other Capital Place of the Dioceſe.

13. He who after his being Baptized has been involved in two Marriages, or has kept a Concubine, cannot be a Biſhop, or Clergy-man. 17.

Whether ὁ δυσὶ γάμοις συμπλακεὶς ſhould not have been rendred, *He that has been at once involved in two Marriages*, I will leave to the *Critics* to determine. I muſt confeſs I am inclined to take the Words in this Senſe, eſpecially becauſe there had been no occaſion to prohibit him from being a Clergy-man who had ſucceſſively married two Siſters (See *Can.* 15.) if all were unqualified for the Clergy, who had been Married twice ſucceſſively to any two Women.

14. He that Marries a Widow, or one that is divorced, or a Harlot, or a Servant, or an Actreſs cannot be a Biſhop or Clergy-man. 18.

To Marry a Widow was not reputable among the Ancients. See *Grotius* on *Lev.* xxi. 13, 14. and *Whitby* on 1 *Tim.* v. 9. and the ſame may be ſaid of Marrying any other ſort of Women here mentioned: therefore no wonder if the Primitive Church forbad it to all Clergy-men, who were in an eſpecial manner bound *to follow after things of good report*, and to give *no Offence either to Jews or Gentile*.

15. He

19. 15. He that Marries two Sisters, or his Neece, cannot be a Bishop or Clergy-man.

20. * 16. Let the Clergy-man, who gives Security for any one, be Deposed.

This may at first sight seem a severe Canon, especially considering that a Clergy-man being Deposed in the Primitive Church was uncapable of being restored: but I suppose the Reasons of this Canon might be to hinder Clergy-men from impoverishing themselves by their Indiscretion; and that the Church might not be deprived of their Service, as it must be if they proved insolvent, and were taken into Custody: And further it might be thought hard, that Clergy-men should pay other Mens Debts out of the Church-Stock; for it may be justly supposed, that the Generality of the Clergy had no other ways, or means of subsisting, or paying Debts. Some understand this Canon of those, who made it a Trade, and an Art of filthy Lucre to offer themselves Security for others, and so involv'd themselves in Law Business, and a Secular Way of Living.

21, 22, 23, 24. 17. He who is made an Eunuch by the Injury of others, or is born so, if he be worthy to be a Bishop, let him be one: But let not him who makes himself an Eunuch be a Clergy-man; if he be a Clergy-man, let him be Deposed; if he be a Lay-man, let him be suspended from Communion *for three Years.*

This

This Canon was probably made againſt the *Valeſian* Hereſy, which prevailed in the Second Century. And further, 'tis not improbable, as Biſhop *Beveridge* obſerves, that *Origen* was depoſed for this unnatural practiſe about the beginning of the Third Century, by Virtue of this Canon, *for Three Years. Cotelerius* after *Morinus* is of opinion, that theſe Words were added by a later hand, the longeſt time for Excommunication mention'd in the Apoſtolical Conſtitutions being but Seven Weeks. *See* L. Conſt. 2. *c.* 16. Before *Montanus* Suſpenſions were for a ſhort time; between his and *Novatus*'s time they ſcarce exceeded Two Years; afterwards for a much longer Term. But ſometimes Perſons were Excommunicated not for any certain time, but 'till they complied with their Superiors; of this ſee an Inſtance, *Can.* 29. See alſo Examples of Total Excommunication, *Can.* 21, 22.

18. Let a Biſhop, Prieſt, or Deacon, if he be caught in Fornication, Perjury or Theft, be Depoſed, but † *not ſuſpended from Communion*; and ſo likewiſe [let it be done] to other Clergy-men. 25, 26.

† The reaſon of this was, that it was unreaſonable that any one ſhould be twice Puniſhed for one Crime, as is intimated in the Canon itſelf: For the Canon at large gives us this reaſon why the peccant Clergy-men ſhall not be both Depoſed and Excommunicated, *viz.* becauſe the Scripture ſays, *God will not revenge.* ('tis commonly by miſtake ἐκδικήσεις for —σει) *twice for the ſame thing by afflicting* [thee.] The Words are by the Framers of the Canon tranſcribed from *Nah.* I. 9. according to the LXX. Our

Our *English* Translation is, *Affliction shall not rise up the second time.* And tho' these Words are by some thought to be mis-applied, yet I cannot be of that opinion. I suppose the Prophet upon foretelling the Destruction of *Nineveh*, comforts the *Jews* with this Promise, that the Hostile City which had been so injurious to God's People being destroyed, God would no more punish them for those Sins, for which He formerly sent *Senacherib* from *Nineveh* to harrass them: And Man cannot follow a better Pattern than that of God himself.

N. B. Dionysius Exiguus *divides this Canon into Two.* Balsamon, *and the other Scholiasts do not follow him in this particular; therefore they who use these Canons as Published by them, will find, that from this Canon forward their Division does not agree with either of those which I observ'd. The* 27*th with* Dion. Exig. *and the* 19*th according to the Account which I use, is the* 26*th with* Balsamon.

27. 19. Of those who enter Batchelors into the Clergy, We order, that Readers and Singers only do Marry afterwards, if they so please. *See* Can. Calced. 14.

By this Canon it appears,

1. That Marriage was no impediment of Holy Orders in the Ancient Church, as 'tis now in the Church of *Rome*; for a Married Clergy-man cohabiting with his Wife might be Ordained Bishop, says *Balsamon*, till the Council of *Trull*: Whereas in the present Church of *Rome* none can be Ordained *Sub-deacon* till he have dismiss'd his Wife.

2. That if they took the Superior Orders in a State of Celibacy, 'twas the effect of their own

own choice; they were under no conſtraint in this point.

3. That it does not appear by the expreſs Words of this Canon, that if any in thoſe called *Sacred* or *Superior* Orders did Marry, they were therefore to be Depoſed. In the mean time there was good reaſon for the Church to diſapprove the Marriage of the Clergy in thoſe Ages, becauſe of the Perſecutions which they had reaſon daily to expect, while they lived under Heathen Emperors: This St. *Paul* calls *the preſent diſtreſs*; for which he ſays, *'tis good for a Man not to marry*, 1 Cor. vii. 26. When Perſecution was at an end, the great reaſon of theſe Canons, which diſcountenance the Marriage of Clergy-men ceaſed; and yet after theſe times of Peace the Canons grew more ſevere; and what was at firſt diſcouraged out of neceſſity, was at laſt forbid out of Superſtition and Worldly Policy. *See* Can. 43.

20. We charge that a Biſhop, Prieſt or Deacon, that beats the faithful when they have committed a fault, or the Infidels when they do wrong, be Depoſed. 28.

This Canon ſeems only an Expoſition of that of St. *Paul, a Biſhop muſt be no ſtriker.* 1 Tim. iii. 3.

* 21. If any Biſhop, Prieſt or Deacon, being juſtly Depoſed for open Crimes, be ſo bold as to meddle with the *Liturgy* formerly entruſted with him, let him be wholly cut off from the Church. 29.

Liturgy here ſignifies all Holy Offices performed by Biſhops, Prieſts and Deacons; and perhaps

perhaps the Holy Books which contained the Forms of Publick Adminiſtrations.

30. * 22. If any Biſhop, Prieſt or Deacon, obtained his Dignity by Money, let him, and he who Ordained him, be Depoſed, and wholly cut off from Communion, as *Simon Magus* was by *Peter*.

Here you have an Example of an indefinite and full Excommunication, call'd *Cutting off*: They who would have theſe Canons made by the Apoſtles themſelves, ſay here, *by me Peter*.

Further it may be obſerved, that tho' for common Immoralities Clergy-men were only to be Depoſed; yet for *Simony*, and not ſubmitting to Eccleſiaſtical Cenſures, Ordained Perſons were to be wholly Excommunicated. Indeed, in caſe of *Simony*, it may be ſaid, that he who obtained Orders by this means, his Orders were null *ab initio*; and ſo there was no Puniſhment ſevere enough to be inflicted on the Delinquent but Excommunication. If he who was Depoſed would not ſubmit to that Cenſure, there was no Remedy left but total Excommunication: This therefore was a piece of Diſcipline abſolutely neceſſary; nor could the Delinquent juſtly alledge that he was puniſh'd twice for one Crime: For he was Depoſed for Immorality; but Excommunicated for Obſtinacy in not ſubmitting to his former Puniſhment.

It ſhould ſeem that Simony had crept into the Church in thoſe early Days; He indeed who deſired to be Ordained had a greater Temptation to Purchaſe Orders after Churches were well endowed, than during thoſe Times of Perſecution: But the Biſhop who Ordained was more liable to be tempted to take Money, while

Biſhopricks

Biſhopricks were very poor (which is the preſent Caſe of the *Greek* Church, where Simony is ſaid to reign.) And tho' the Dignities of the Church were then of ſmall Value in compariſon of what they were afterwards; yet we may be ſure that they afforded a comfortable Subſiſtance: and therefore Purchaſers would not be wanting, if Biſhops were ſo baſe as to expoſe Holy Things to Sale.

23. If any Biſhop making uſe of the Secular Power, do thereby obtain a Church, let him be Depoſed, and Suſpended from Communion; as they alſo who Communicate with him. 31.

By the *Secular Power* we are to underſtand that of the Heathen *Roman* Emperors, or their Deputies, and it was a ſhameful thing for Clergymen to apply to ſuch Perſons in oppoſition to the Church. We are indeed ſure that in one Caſe, even the Orthodox Biſhops did apply to the Heathen Emperor *Aurelian*, about *A. D.* 270. But it was in oppoſition to the Heretick *Paulus Samoſatenus*, that he might be removed from the Biſhoprick of *Antioch*, and *Domnus* placed in his ſtead; but it was after *Paul* had been firſt Depoſed, and *Domnus* been Elected and Ordained in his ſtead by a Synod of Biſhops.

Mr. *Calamy* gives us a caſt of his *Moderate Non-Conformity* when he tells us, that *if this Canon took place, our* Engliſh *Biſhops were at once diſcarded:* For he (charitable Man) could ſee no difference between a Heathen Emperor, and a Chriſtian Prince. *See* Calam. Def. *Part* 1. *p.* 115.

24. If any Prieſt, deſpiſing his Biſhop, gather a Separate Congregation, and Erect another 32.

another Altar, being not able to Convict his Biſhop of any thing contrary to Godlineſs and Righteouſneſs; let him, and the Clergy-men that conſpire with him, be Depoſed, and the Lay-men be Suſpended from Communion, after a Third Admonition from the Biſhop.

By this Canon it appears, that there was yet but one Altar or Place of Aſſembly, for the moſt part, in every Dioceſe; and that the Biſhop and Clergy lived together in a Body, and conſtant Communion with each other.

Further, He that would *Convict* his Biſhop, muſt do it before the Metropolitan in Synod, as appears by the 27th Canon: For Prieſts were never permitted to Sit Judges on their Biſhop. This Canon is earneſtly recommended to the Conſideration of Diſſenters of all Sorts; and let them ſhew, how 'tis poſſible to maintain Unity without the obſervation of it.

33. 25. If any Prieſt or Deacon be Suſpended from Communion by his Biſhop, let him not be received [into Communion] by any other, except that Biſhop chance to die. *See* Can. 10.

34. 26. Let no ſtrange Biſhop, Prieſt or Deacon, be received [to Communion] without Letters Commendatory; which Letters are to be Examined, and they who bring them admitted to Communion, if they are found to be *Preachers of Righteouſneſs*; if otherwiſe, let them be entertained, but not admitted to Communion.

The

The *Hoſpitality* ſo much commended in the New Teſtament, is the Entertaining of thoſe Clergy-men, and others, who came from other Churches with *Commendatory Letters*, and upon Buſineſs, or for maintaing a mutual Correſpondence between the Chriſtians of divers Cities.

27. The Biſhops of every Province ought to own him who is Chief among them, and eſteem him as their Head, and to do nothing extraordinary without his Conſent; but every one thoſe things only, which concern his own Pariſh, and the Country ſubject to it: Nor let him [that is Chief Biſhop] do any thing [Extraordinary] without the Conſent of all. 35.

Tho' there was no ſuch Title as that of Metropolitan, or Arch-Biſhop, in thoſe Ages, yet 'tis evident, that there was one in every Province, that had the ſame Power, which is now exerciſed by our *Primates*, or Arch-Biſhops. He who deſires further information in this Point, may Read Biſhop *Beveridge*'s Treatiſe, *De Metropolitanis*, in his Defence of theſe Canons.

Here is a Demonſtration, that the old *Pariſh* was a Dioceſe as we now ſpeak: For it is ſuppoſed to have *a Country belonging to it.* See *Can.* 11.

28. Let not a Biſhop preſume to Ordain in Cities and Villages not ſubject to him; and if he be Convicted of doing ſo without Conſent of thoſe to whom ſuch Places belong, let him, and thoſe whom he has Ordained, be Depoſed. 36.

37. 29. If any one being Ordained Bishop, do not accept the Office and Care of the People entrusted with him, let him be Suspended from Communion till he do accept it: But if he go, and be not accepted by reason of the perverseness of the People, let him remain Bishop; but let the Clergy of that City be Suspended from Communion, because they have not been Correctors of a refractory People.

This Canon supposes that it was in the breast of the Bishops, and not of the People, to supply a vacant See, by Electing a new Bishop.

The reasons why the Clergy were to be censured when the People were refractory, were,

1. Because the People were in the Primitive Times very much at the direction and devotion of the Clergy; and therefore if they did not accept their Bishop, it was presumed, that the Clergy were the occasion of it.

2. To Suspend the Clergy from Communion, was in effect to Suspend the People too: For they could nor Communicate without Priests; and it has always been against the Laws of the Church, to Excommunicate the Multitude.

38. * 30. Let there be a Synod of Bishops twice every Year, the First on the 4*th* Week after *Easter*, and the other on the 12*th* Day of *October*, and let them Determine all Doctrines of Religion among themselves, and put an end to all Ecclesiastical Controversies that may happen. *See* Can. *Nic.* 5. *Ant.* 20.

Here

Here and elſewhere Provincial Synods are called the Synods of Biſhops; and this Provincial Synod was the *Dernier Reſort*, from which there lay no Appeal in the Primitive Church.

* 31. Let the Biſhop have the care of all Eccleſiaſtical Goods, which he ought to diſpenſe, as being under the Divine Inſpection: Let it not be allow'd him to purloin any of them, or to beſtow them on his Kindred, whom, if they be Poor, he ought to relieve, as he do's the reſt of the Poor; but let him not on their account expoſe to Sale what belongs to the Church. 39

32. Let the Prieſts and Deacons do nothing without the knowledge and conſent of the Biſhop; for with him the People of God are entruſted, and of him the account will be demanded. 40

St. *Ignatius* gives us the ſenſe of this Canon, when he ſays, that *the Prieſt muſt not make an Oblation, nor Baptize, nor Celebrate a Love-Feaſt, without the Biſhop's allowance.* The Prieſts who are by Inſtitution from the Biſhop, ſent and Commiſſioned to perform all Prieſtly Offices in any place, cannot be ſaid to act contrary to this Canon.

33. Let thoſe Goods which are the Biſhops Perſonal Property, if he have any, be diſtinguiſh'd from thoſe which belong to the Lord; that when he Dies he may have the Liberty of leaving his own Goods to whom, and in what manner he pleaſes:

For

For he may have a Wife and Children, or Kindred, or Servants.

Dionyſ. Exig. makes but One Canon of the laſt Two.

Κυριακὰ, *Things belonging to the Lord*, were the Holy Veſſels for the Sacraments, Utenſils and Books of Divine Offices. *See* Can. *Calc.* 22. *Antioch.* 24.

41. 34. We give Order, that the Biſhop have the Goods of the Church in his Power, to diſpenſe them by the Hands of the Prieſts and Deacons to them that are in want: and let him take ſhare of ſuch things as he wants for the ſupply of himſelf, and his Brethren, that come from other Churches; that they may by no means be under any want.

42, 43. * 35. Let the Biſhop, Prieſt or Deacon, who ſpends his time in Dice and Drinking, either deſiſt, or be Depoſed; the Sub-Deacon, Reader, Singer or Lay-man, be Suſpended from Communion.

Cicero totally forbids Dice to Perſons of Condition and Education, *Offic. L.* 1. *c.* 42. yet *Cato* plaid at Dice, ſays *Plutarch* in his Life; ſo did *Auguſtus*, if we may believe *Suetonius*; *i. e.* they plaid παιζόντως, for Paſtime, not for Lucre's ſake.

44. * 36. Let the Biſhop, Prieſt or Deacon, who demands Uſury of thoſe to whom he Lends, deſiſt, or be Depoſed.

This Canon does not forbid Uſury to Lay-men, as it would undoubtedly have done if Uſury had been

been thought unlawful; but to the Clergy only as being a thing of ill fame. See *Can.* 14. and especially *Can. Nic.* 17.

37. Let the Biſhop, Prieſt or Deacon, that only prays with Heretics, be ſuſpended from Communion; but if he ſuffer them to Officiate as Clergy-men, let him be Depoſed. 45.

The Primitive Church took all poſſible Care to guard itſelf and Members againſt Hereſy and Hereticks, and there was very great Reaſon for it. The Story of St. *John* the Apoſtle, who would not waſh in the ſame Bath with *Cerinthus*, is very remarkable to this purpoſe; then Chriſtians had a Zeal for Divine Truth.

38. We order, that the Biſhop, Prieſt or Deacon, who has received Baptiſm, or the Oblation from an Heretic, be Depoſed. 46.

Oblation or *Sacrifice*; for the *Greek* is θυσία, and ſo the Sacrament of Chriſt's Body and Blood was commonly Called of old. *See* Can. 2.

The Words may be turn'd, *the Biſhop, Prieſt or Deacon, who allows the Baptiſm, &c. of Heretics.*

39. If a Biſhop or Prieſt do again Baptize one who has really received Baptiſm before: or if he do not Baptize one that has been polluted by wicked Men, let him be Depoſed as one that makes no Diſtinction betwixt Prieſts and Pretenders. 47.

Polluted by the wicked, i. e. Baptized by Heretics See *Can.* 38.

This

This is the Canon of St. *Cyprian*, who aſſerted that the Baptiſm of Hereticks of all ſorts was null and void, and had on his ſide all the *African* Fathers, and moſt of the *Greeks* of that Age. St. *Auſtin* afterwards introduced a Diſtinction which has much prevailed ſince his time, viz. that the Baptiſm of Heretics was null, if not performed *in the Name of Father, Son, and Holy Ghoſt*; but that ſuch Baptiſm is good, by whomſoever performed. Yet the *Trullan* Fathers expouſe this Canon of St. *Cyprian*, *Can. Trul.* 2. One would think that this Doctrine of Re-baptizing Hereticks prevailed at *Rome* in the time of *Dionyſius Exiguus*; for it is certain that his Collection of Canons, of which this was one, was received in that Church: but we know that in the Third Century, *Stephen* Biſhop of *Rome*, and his *Italian* Biſhops, did violently oppoſe St. *Cyprian* and the *Africans* in this Point.

48. 40. If any Lay-man rejecting his own Wife take another, or a Woman divorced by another Man, let him be ſuſpended from Communion.

49. 41. If any Biſhop or Prieſt, do not Baptize into the Father, Son, and Holy Ghoſt; but into Three [Perſons] without beginning, Three Sons, or Three Paraclets, let him be Depoſed.

Three Perſons without Beginning, i. e. *Three Fathers*. The *Athanaſian* Creed reflects on theſe Heretics, when it teaches us, *that there is one Father, not three Fathers, one Son, not three*, &c. for what is ſo wild that ſome Heretics have not dared to aſſert?

42. If

42. If any Biſhop or Prieſt do not perform the three Ablutions of one Myſtery [or Sacrament,] but one Ablution into the Death of Chriſt, let him be Depoſed; for our Lord ſaid not *Baptize into my Death*, but *into the Name of Father, Son, and Holy Ghoſt*. Ye therefore, O Biſhops, make three Ablutions. 50.

Biſhop *Beveridge* ſhews that *Praxeas* and his Followers, in the cloſe of the Second Century, Baptized into *one* only, *viz.* Chriſt, who died for us; and therefore againſt theſe Hereticks this Canon might probably be made, *L.* 2. *C.* 6.

The Original Form of Baptiſm is a moſt unanſwerable Argument againſt all Anti-Trinitarians, no wonder therefore if they oppoſed a Practice, and a Form of Baptiſm ſo contradictory to their own Notions: and on the other ſide all who heartily believe a Divine Trinity ought earneſtly to contend for retaining of that Form, which Chriſt himſelf inſtituted, and that Mode of performing it, which is moſt agreeable to that Faith, I mean the Trine Immerſion, or Affuſion.

This is the laſt Canon tranſlated by Dionyſius Exiguus, *and received into the* Latin *Code.*

43. If any Biſhop, Prieſt, Deacon, or any of the Sacerdotal Catalogue do abſtain from Marriage, and Fleſh, and Wine, not for Mortification, but out of Abhorrence, let him amend, or elſe be Depoſed, and caſt out of the Church, and ſo alſo ſhall a Lay-man. 51.

In the Second Century the *Encratites*, *Saturninus*, and *Tatian* disallowed of Marriage, and the Eating of Flesh; and the last abhorred Wine to such a Degree, that he consecrated nothing but Bread and Water for the Eucharist.

Here you see the happy Temper of the Primitive Bishops who would not debar themselves, or others from the use of Marriage, any more than from Wine or Flesh.

One would think this Canon was made before the 19th. No wonder that the Church of *Rome* have always had an Aversion to these Canons; for the Doctrines and Practices aimed at here, and in some of the following Canons, were, by the time of *Dionysius Exiguus*, if not before, receiv'd, or at least encouraged in that Church.

52. 44. If any Bishop or Priest do not receive one that turns from his Sins, let him be Deposed, as one that is a Grief to Christ.

53. 45. If a Bishop, Priest or Deacon do not use Flesh and Wine on Festival Days, let him be Deposed as one that has a sear'd Conscience, and is a Cause of Scandal.

They who abstained from Wine and Flesh did it out of an Opinion that the Creation was evil, and that the World was not made by the Father of our Lord Jesus Christ.

Festivals in the Ancient Church were the Lord's-Day, the Sabbath Day, and the Commemorations of their Martyrs. See *Can. Lond.* 49, 51.

54. 46. If a Clergy-man be taken Eating in a Victualling-House, except in a Journey, let

let him be Suſpended from Communion.

* 47. If any Clergy-man do unjuſtly calumniate a Biſhop, let him be Depoſed: For it is written, *Thou ſhalt not ſpeak evil of the* RULER OF THY PEOPLE. 55.

* 48. If any Clergy-man do calumniate a Prieſt or Deacon, let him be Suſpended from Communion. 56.

'Tis not to be wondred that the Primitive Church was ſo very tender of the Reputation of Biſhops, Prieſts and Deacons, if it be conſidered, that the ſucceſs of all their Miniſtrations, both in regard to their own People and Infidels, did in a very great meaſure depend upon the Opinion that others had of them.

* 49. If any Clergy-man, or Lay-man, do bitterly reproach any one that wants the uſe of his Limbs, or is deaf, or blind, or has any Infirmity in his Legs or Feet, let him be Suſpended from Communion. 57.

* 50. If any Biſhop or Prieſt neglect the care of the Clergy and People, and do not inſtruct them in Religion, let him be Suſpended from Communion; and if he perſiſt in his neglect, Depoſed. 58.

51. If any Biſhop or Prieſt do not ſupply any of the Clergy if they be in want, let him be Suſpended from Communion, and if he perſiſt, Depoſed. 59.

* 52. If any one do publickly Read in the Church the Books of impious Men, bearing falſe Inſcriptions, to the perverting of Clergy and People, let him be Depoſed. 60.

By *impious Men*, here we are to understand Hereticks, who when they could not defend their Opinions by the genuine Scriptures, forged new ones: Such were the Gospel of St. *Jude*; the Travels of St. *Paul*, and *Tecla*, &c.

61. * 53. If any Communicant upon Information preferr'd against him, have been Convicted of Fornication or Adultery, or any forbidden Practice, let him not be admitted into the Clergy.

62. 54. If any Clergy-man out of the fear of Man, whether Jew, Heathen or Heretick, deny the Name of Christ, let him be cast out [of the Church;] if [he deny] the Name of a Clergy-man, let him be Deposed; and if he repent, let him be receiv'd as a Lay-man.

Cotelerius's Copy has here ἀφορίζεσθω, instead of ὑποβαλλέσθω; but that this latter is the true Reading, appears not only from the Tenor of the Canon, but from *Balsamon*, *Zonaras* and *Aristenus*, who did so read and understand it.

63. 55. If any Bishop, Priest or Deacon, or any of the Sacerdotal Catalogue, eat Flesh with the Bloud, which is the Life thereof, or what is killed by a Beast, or dies of it self, let him be Deposed; and if a Lay-man, let him be Suspended from Communion.

This is an Enforcement of the Apostolical Decree, *Act.* xv. which was long observed in all Churches; and it was reasonable it should, so long as the Heathen Religion prevailed, as it did

did when these Canons were framed: for it is very probable, as Dr. *Spencer* argues, that the Eating of Bloud and Strangled Animals was forbid in regard to the Heathen Superstitions, that the Christians might not Symbolize too much with them: but this Observation was kept up in the Church long before the Old Heathen Religion was Extinct; and is, or lately was retained in the Eastern Churches. If any one be still of opinion, that Bloud ought not to be eat, let him Enjoy it for me: only let him not censure those who use their Christian Liberty: for *neither if we eat are we the better, nor, if we eat not, are we the worse.*

* 56. If any Clergy-man be found Fasting on the Lord's Day, or on any Sabbath-Day except one, let him be Deposed; and if a Lay-man, let him be suspended from Communion. See *Can.* 45 and *Can. Gangr.* 18. 64. 53

The one Sabbath-Day on which Fasting is allowed is *Easter-Eve.* This Canon is what could never go down with the *Romanists*; they have, at least ever since the Time of *Innocent* I. been very zealous for their Saturday-Fast: 'tis probable which those Heresies, in opposition to the Sabbath was kept as a Festival, never prevailed in the West. The Rule by which St. *Ambrosius* govern'd himself in this particular deserves to be written in Letters of Gold, *viz. When I go to* Rome, *I fast on the Sabbath, when I am here at* Milan, (which followed the Eastern Practice) *I do not. So you, to whatever Church you come, conform your self to it's Customs; if you desire to give offence to no body, and that no body should give offence to you.*

Mr. *Calamy* gives us a broad hint of the Opinion he has of this Canon as if it were groundless and Tyrannical, without considering that it was designed against as gross a Heresy as ever infested the Christian Church; I mean that of asserting that the World was made by an evil God, and that therefore the Day, on which the Creation was finish'd was to be kept as a Fast.

65. * 57. If a Clergy-man go into a Synagogue of *Jews* or Hereticks to pray, let him be Deposed; if a Lay-man, let him be suspended from Communion.

66. 58. If a Clergy-man in a Quarrel strike any one and kill him, let him be Deposed, tho' it were with the first Blow; if a Lay-man, let him be suspended from Communion.

N. B. *In the Apostolical Canons publish'd by* Tilius *and Bishop* Beveridge, *these two Canons are placed* Can. 56, 64. *and so that Canon in their Account is the 66th.*

67. * 59. If any one force a Virgin whom he keeps, if she be not engaged [to another Man] let him be suspended from Communion; but let him not be allowed to take another, but retain her whom he had chose, tho' she be poor. See *Can. Chalc.* 27.

If the Virgin had been Engaged to another, then say the Scholiasts, the Raptor had been guilty of Adultery; and the Virgin must of right have belong'd to the Man to whom she was pre-engaged.

* 60. If

* 60. If any Biſhop, Prieſt or Deacon be Re-ordained, let him be Depoſed; as likewiſe he who ordained him, unleſs it appear that he received his [firſt] Ordination from Hereticks: for they, who are Baptized or Ordained by them, are neither Clergymen nor Communicants. 68.

* 61. If any Biſhop, Prieſt, Deacon, Reader or Singer do not keep the Holy Faſt of *Lent* Forty Days before *Eaſter*; or the *Wedneſdays* or *Fridays*, let him be Depoſed, if he be not hindred by ſome Bodily Infirmity; but if he be a Lay-man, let him be ſuſpended from Communion. 69.

Biſhop *Beveridge* has ſhew'd that *Lent* was obſerved in the Second Century, and that the *Wedneſdays* and *Fridays* Faſt was probably obſerved even in the time of the Apoſtles; for there is mention of the *Stationary Days* in *Herm. Paſtor.*

Here probably you have all the Degrees of Clergy that were in the Eaſtern Church when theſe Canons were framed.

* 62. If any Biſhop or other Clergy-man Faſt, or Feaſt with the *Jews*, or accept any Doles, or Preſents of unleavened Bread, or the like from their Feaſts, let him be Depoſed; and if a Lay-man, ſuſpended from Communion. 70.

* 63. If any Chriſtian carry Oil to the Temples of the Heathen, or Synagogues of the *Jews*, or light Candles at their Feaſts, let him be ſuſpended from Communion. 71.

72. * 64. If any Clergy-man or Lay-man take Wax or Oil out of Holy Church, let him be suspended from Communion, † and make Restitution with the Addition of a Fifth Part.

† The following Words are not extant in Bishop *Beveridge*'s Edition, nor that of *Tilius*.

73. * 65. Let no one purloin to his own Use any of the Sacred Utensils, whether of Silver, Gold, or Linen; and if any one be taken doing so, let him be punish'd with Suspension from Communion, for 'tis a flagitious thing.

'Tis not to be wonder'd if they had in some Churches Golden Chalices, in the Second and Third Century, when Men thought no Cost too great for the Service of God. *Lucian*, who wrote in the Second Century, is suppos'd in his *Philopatris* to upbraid the Christians for holding their Assemblies in an *Edifice gilded or adorn'd with Gold*, εἰκὸς χρυσόφορος; and *Prudentius* in the Third Century introduces St. *Lawrence*'s Persecutors, as insulting the Christian Bishops for *making their Libations in Gold*, and using *Golden Candlesticks in their Nocturnal Assemblies*; for the Christians were not always under Persecution.

74. 66. If a Bishop be accused by Credible Persons, that are Communicants, let him be cited by the Bishops; and if he appear and Plead, and be convicted, let Sentence be pass'd: but if he do not obey the Summons, let him be cited by two Bishops, a second time; and if he do not then

then appear, a third time; and if then he be guilty of Contempt, in not appearing, let the Synod pronounce ſuch a Sentence againſt him, as they think fit.

67. Admit not a Heretick to give in Evidence againſt a Biſhop, nor any one, tho' he be a Communicant: For the Scripture ſaith, *In the mouth of two or three Witneſſes every Word ſhall be eſtabliſh'd.* 75.

68. A Biſhop is not allow'd to Ordain [for a Succeſſor] whom he pleaſes, by conferring his Epiſcopal Dignity on a Brother, Son, or any other Relation: For 'tis unjuſt that a Biſhoprick ſhould deſcend by Inheritance. Let therefore ſuch Ordination be null and void, and [the Biſhop that is guilty of it] be Suſpended from Communion. 76.

69. If any one have an Infirmity in his Eye or Leg, but deſerve to be a Biſhop, let him be ſo; but not if he be deaf or blind, leſt this be an Impediment to him in performing Eccleſiaſtical Offices. 77, 78.

70. Let not a Dæmoniack be a Clergy-man, nor pray together with the Communicants; but, when he is diſpoſſeſs'd, let him be receiv'd [to Communion;] and if he deſerve it, be [a Clergy-man.] 79.

71. It is not to be allowed, that any Proſelyte from Heatheniſm, being baptiz'd, ſhould preſently be made a Biſhop; nor any one [lately reclaimed] from a lewd courſe of Life, unleſs it be by *Divine Grace.* 80.

This Canon is referr'd to by the 2d of *Nice.*

I ſhall explain the laſt Words of this Canon beſt by giving the moſt noted Example of it that is, perhaps, to be met with in Hiſtory. When there was a Publick Aſſembly at *Milan*, *A. D.* 374. for the Election of a Biſhop to ſucceed in the room of *Auxentius*, lately deceas'd, one *Ambroſe*, who had then the Temporal Government of that City committed to him by the *Roman* Emperor, came to appeaſe the Heats that aroſe between the Orthodox and *Arians* on this occaſion: And when he had in a long and grave Oration compos'd the Paſſions and Violence of each Party, they were ſtruck with ſuch an Admiration of his Perſon and good Qualifications, that they unanimouſly Voted him to the *Epiſcopal Throne*, tho' he was but a *Catechumen*, and therefore not yet Baptized; which as ſoon as the Emperor *Valentinian* underſtood, he commanded him to be Baptized, and Conſecrated Biſhop of that See, as *being Choſen by a Divine rather than Humane Suffrage*. He was accordingly Conſecrated, and prov'd a great Ornament both to the See of *Milan*, and to the whole Church of Chriſt. *Timothy* was Conſecrated Biſhop of *Epheſus*, *by Prophecy*, *i. e.* by Revelation; and ſo undoubtedly were many more in the Apoſtolical Times.

§ Tim. iv. 14.

81. 72. We have before charged, that a Biſhop ſhould not deſcend to Places of Adminiſtration in the Civil Government; but let him always be at leiſure to do his Eccleſiaſtical Duty. Let him either obey, or be Depoſed.

It can ſcarce be ſuppoſed, that whi'e the Heathen Religion remain'd Eſtabliſhed by Law, any one could perform a Command, or execute an Office in the Common Wealth, without doing

ing ſomething in favour of Idolatry: Therefore Biſhops were for good reaſon forbid all Places in the Civil Government; and *Paulus Samoſatenus*, *A. D.* 272. was Depoſed for breaking this Canon, as well as for his Hereſy.

73. We do not permit Slaves to be Ordained Clergy-men, without conſent of their Owners; for this would be to the Subverſion of Families; but if any be found deſerving, and their Owners give way to it, by making them Free, and diſmiſſing them from their Houſes, let it be done. 82.

We are not to wonder that Slaves in ſome Caſes ſhould in the Primitive Times be admitted into the Clergy: For it has been the Lot of many extraordinary Perſons to be reduced to this Condition by the Fate of War, and other Accidents; *Epictetus* and *Æſop* are Two great Inſtances of this ſort, who tho' they were Slaves, yet were Men of noble Minds, and moſt excellent Judgment and acuteneſs; that had Souls large enough for the greateſt Command, or Buſineſs, that ever any one Man was capable of diſcharging. *Grotius* does with great probability aſſert, that St. *Luke* had been a Slave to the Family of the *Lucilij*, and thence had his diminutive Name *Lucas*. However, 'tis certain *Oneſimus* was a Slave to *Philemon*; and yet afterwards Biſhop of *Coloſs*, ſay ſome of the Ancients. Moſt Copies of this Canon have after the Word *deſerving*, the following Clauſe, *viz*, *as our* Oneſimus *was*; but 'tis certain that *our* was inſerted by thoſe who would have theſe Canons framed by the Apoſtles, (*See* Can. 22.) and was not in the Ancient Book made uſe of by the *Arabian* Inter-

Interpreter of these Canons; and some suspect the whole Sentence to have been added.

83. 74. Let the Bishop, Priest or Deacon, who spends his time in any Civil Administration, and affects to retain his Place under the *Roman* Emperor, and his Sacred Ministry too, be Deposed.

Civil Administration, so I turn the *Greek* Word στρατεία: For we are sure the *Lat. Militia* has this Signification, and that the *Greeks* did *Latinize* very much, especially in Words relating to Government. This Canon is a sufficient Proof that the Word so signifies, at least in this place; for it is used as an equivalent to Ῥωμαϊκὴ Ἀρχή. *See* Can. 4. 72. Can. *Chalc.* 7.

84. 75. If a Clergy-man do unjustly reproach the Emperor, or any one in Command, let him be Deposed; If a Lay-man, let him be Suspended from Communion.

85. 76. Let every one, both Clergy-men and Lay-men, have by him the Venerable and Holy Bible, *i. e.* the *Old Testament*, containing the 5 Books of *Moses*; 1 of *Jesus*, Son of *Naue*; 1 of the *Judges*; 1 of *Ruth*; 4 of the *Kings*; 2 of *Paralipomena*; 2 of *Esdras*; 1 of *Esther*; 1 of *Job*; 150 *Psalms*; 3 of *Solomon*, viz. the *Proverbs*, *Ecclesiastes*, *Canticles*; 16 of the Prophets: (besides, let it be remembred that Novices be taught the Wisdom of the most Learned *Syrach.*) Of the *New Testament*, the 4 Gospels of *Matthew*, *Mark*, *Luke* and *John*; 14 Epistles of *Paul*; 2 of *Peter*; 3 of *John*; 1 of *Jude*;

Jude; 2 Epiſtles of *Clement*; and the *Acts* of the *Apoſtles*.

As the Church of *Rome* in Ancient Times did never receive theſe 34 35 laſt Canons, ſo the preſent Church of *Rome* has greater reaſon ſtill to reject and oppoſe them, eſpecially for the ſake of this Canon, which not only permits, but enjoyns the Laity the uſe of the Holy Scripture; and further, becauſe the Books of the *Old Teſtament* here rehearſed are thoſe only which are received as Canonical by us Hereticks: For all the *Apocryphal* Books are omitted, except that of *Eccleſiaſticus*, which is recommended to Novices only, and mention'd a-part from the *Sacred Code*: For after having reckon'd up the Authentick Books, the Canon adds, *beſides let it be remembred*, &c. The Word ἔξωθεν might have been rendred *not belonging to*, viz the *Old Teſtament*; and ſo *Cotelerius* takes it. 'Tis true the Book *Judith* is mention'd in *Cotelerius*'s Edition and Three Books of *Maccabees*, both in his Copy, and that of Biſhop *Beveridge*: But *Cotelerius*, tho' a Papiſt, yet frankly owns that *Judith* is mention'd only in one Old Manuſcript, and omitted in all the reſt. And as to the *Maccabees*, they are omitted in the moſt Ancient Tranſcript of theſe Canons that is any where extant; I mean that of *Joannes Antiochenus*; and it is owned, that in the Age in which he lived (the 7th Century) the *Greek* Church had not receiv'd the *Maccabees* into their Canon of Scripture, which they would certainly have done had they been mention'd in this Canon, which they then believ'd to have been framed by the Apoſtles themſelves. *Du Pin* ingenuouſly owns, that the Canon of the *Old Teſtament* here mentioned, is agreeable

agreeable to that of *Melito*, *Euſeb.* *Hiſt.* L. 4. c. 25. and to that of the *Hebrews*; and conſequently to Ours.

It may not be amiſs to Advertiſe the *Engliſh* Reader, that by *Jeſus the Son of Nauel* according to the *Greek* Termination, is meant *Joſuah the Son of Nun*, who is called *Jeſus* in our *Engliſh* Bible, *Act.* vii. 45. *Heb.* iv. 8. Further, the *Greeks* call the 2 Books of *Samuel*, the Firſt and Second of *Kings*; the 2 Books of *Chronicles*, *Paralipomena*, or *Remains*; and by the 2 Books of *Eſdras*, you are to underſtand thoſe Books, the Firſt of which we call *Ezra*, the Second *Nehemiah*; and indeed the *Hebrews*, as well as Ancient *Greeks*, give them both one Name.

The Two Epiſtles of *Clement* were of Old read in many Churches, eſpecially the Firſt: They are both extant in that *Alexandrian* Manuſcript of the Bible in the Queen's Library, which is ſuppoſed to be the moſt ancient in the World: So that there can be no doubt, but that they were read in that Age and Church, where that Book was written and uſed.

After the *Epiſtles of Clement* all Copies now extant, and that uſed by the Synod of *Trullo*, had theſe Words added, *And the Conſtitutions publiſhed to you the Biſhops by me* Clement *in* 8 *Books, which you muſt not publiſh to all, becauſe of the Myſtical Things contained in them.* Now if theſe Words were really in the Original Canon, they are to be underſtood of ſome Book now loſt, or (as the Synod of *Trullo* ſuppoſes) of the 8 Books of *Apoſtolical Conſtitutions*, which were afterwards miſerably vitiated and corrupted by Hereticks; and therefore rejected by the Synod of *Trullo*, in that very Canon by which the *Apoſtolical Canons* were received. But I rather think that theſe Words were foiſted into the *Apoſtolical Canon* by

by ſome ſenſeleſs Monkiſh Impoſtors: For I cannot think that any Man of Prudence and Judgment, ſuch as the Compoſers of theſe Canons do appear to have been, could have been guilty of ſo great an abſurdity, as to ſay, *Every one, both Clergy-men* and *Lay-men, muſt have by him* —— *the Conſtitutions*, &c. *which you muſt not Publiſh to all*; by *all*, meaning thoſe very Chriſtians, who, by the foregoing Words were obliged to have them in their Hands: For as to *Jews* or Heathens none of the Holy Books of the *New Teſtament* were to be Communicated to the former, or of either Sort to the latter. Biſhop *Beveridge* is clearly of opinion, that there was no mention of the Conſtitutions in the Original.

Let not the Reader be offended that the Book of *Revelations* is not here mentioned; For no Book was longer doubted of, whether it ſhould be received into the Canon than that, ſo that the omiſſion of that Book only ſhews the great Antiquity of theſe Canons.

THE

THE CODE OF THE *Universal Church.*

PREFACE.

CArdinal Baronius *in his Annals*, Tom. 3. Anno Christi 341. Numb. 34. *had taken notice, that Two Canons of the Synod of* Antioch, *were evidently cited in the Council of* Chalcedon, (Act. iv. 11.) *out of some old Collection unknown to us; but without any mention of the Council of* Antioch; *the First of which Canons, which was read in the* 11*th Action, is called the* 95*th, and the other the* 96*th, in that* Code *which was then allowed and read in the Synod; when yet these Canons in the Synod of* Antioch *are Numbred the* 16*th and* 17*th: *So that it is very clear (as the Cardinal judiciously adds) that these Canons were not quoted out of the Synod of* Antioch; *but from some Publick Collection approved by the Authority of the Ancients.* Lest

Leſchaſſerius *in his Book* concerning the Controverſy between *Paul* the 5th and the States of *Venice*, A. D. 1607. *improved this hint of the Cardinals, by obſerving, that in the Synod of* Trullo, *and ſome other Ancient Monuments, the Canons of the ſeveral Synods there Confirmed were reckoned up in this order*, viz. 1ſt. *Thoſe of* Nice, *(which were in Number* 20.*)* 2dly. *Thoſe of* Ancyra, *(which were in Number* 25.*)* 3dly. *Thoſe of* Neocæſarea, *(in Number* 14.*)* 4thly. *Thoſe of* Gangra, *(in Number* 20.*) All which make up* 79. *In the* 5th *place, they reckon thoſe of* Antioch, *and by adding* 16 *to the aforeſaid Number* 79, *you have the Number* 95, *which falls upon the very Canon then read in the Council of* Chalcedon; *beginning*, It any Biſhop without a See, *&c. which is the* 16th *of that Synod. And this way of Numbring the Canons*, viz. *not according to the Order in which they were placed by the Synods that made them, but according to the Place they had in the* Publick Code, *did ſo much prevail of Old, that there are Inſtances of Canons quoted by the Name of* Nicene Canons, *tho' they are known to have been made by other Synods; becauſe thoſe Canons being placed out of Honour to that Synod, all the reſt were by unwary Men ſuppoſed to have been framed there too.*

Chriſtopher Juſtellus *by this Light which* Leſchaſſerius *had given him, and which he publickly and ingenuouſly owns, Publiſhed the* Code of the Univerſal Church *in the Year* 1610;

1610; *and has, to a Demonſtration, proved that this is the* Τάξις, *or* Ἀκολουθία Κανόνων, *the Set or Train of Canons, to which the Ancients do ſo frequently appeal.*

This Code was firſt drawn up in the Reign of Theodoſius the Great, *ſoon after the Firſt Synod of* Conſtantinople, *by one* Stephen *Biſhop of* Epheſus, *whoſe Name* Juſtellus *had ſeen prefix'd to this* Code *in the* Palatine Library, *and contained at firſt only the* Nicene, Ancyran, Neo-cæſarean, Gangran, Antiochian, Laodicæan *and* Conſtantinopolitan *Canons; the* Epheſine *and* Chalcedonian *were afterwards added.*

The General Synod of Nice *conſiſted of* 318 *Biſhops, who met together* An. Dom. 325, *to Condemn the Doctrine of* Arius, *who, tho he believed* Chriſt Jeſus *to have exiſted before the World, yet denied that he was God, or* of the ſame Subſtance with God; *but aſſerted, that* he was made, as all other Creatures, out of nothing; *tho' ſome of them did afterwards yield, that he was of* a like Subſtance, *tho not* the ſame. *This Synod did alſo determine the time of* Eaſter, *not in any Canon, but in a Synodical Epiſtle, extant in* Socrates, L. 1. cap. 9. *And further, they made theſe following* Canons.

Nicene

Nicene Canons.

1. IF any one be made an Eunuch by a Phyſician for any Diſeaſe, or by the *Barbarians*, or by any one whom he ſerv'd as a Slave, he may continue or be admitted into the Clergy; but not if he makes himſelf an Eunuch, when he was a ſound Man. 1.

'Tis very evident by the Fact of *Origen*, and the 17th *Apoſtolical Canon*, and the ſeveral Imperial Laws, which were made to prohibit it, that it was not uncommon in that Age for Men to emaſculate themſelves, miſunderſtanding that Text, *Mat.* xviii. 8, 9. One *Leontius* a Prieſt is ſaid to have done this, that he might with the leſs Suſpicion enjoy the Converſation of a Virgin called *Euſtolia*, Socrat. *L.* 2. *C.* 21. *Balſamon*, who lived toward the latter end of the Twelfth Century, ſays, that *he had known many ask leave of a Synod to caſtrate themſelves, on account of ſome Diſeaſe, after they had been Ordained*; for he aſſerts, that none were allowed to be made Eunuchs, after they were in Orders, without a Licence.

2. Becauſe many things have been done contrary to the Eccleſiaſtical Church, inſomuch that ſome Men have lately been proſelyted to the Faith from a Heathen Courſe of Life, and having for a while been Catechumens 2.

chumens have been presently Baptized, and thereupon preferr'd to be Bishops, or Priests, It is Decreed, that nothing of this sort be done for the future: and if any after a long time be convicted of any Sensual Sin, let him be dismiss'd from the Clergy. [The Bishop] that does otherwise, shall do it at the peril of his Orders, as one that dare oppose the Great Synod.

By the *Ecclesiastical Canon* is most probably meant 71 *Apostolical Canon.*
80

Sensual Sin; this I take to be the most probable Meaning of ψυχικὸν ἁμάρτημα. *Balsamon* and *Zonaras* do hereby understand any gross Crime; but mention the Opinion of others, *viz.* that the Heresy of the *Novatians* is here struck at, who refused to Communicate with such as had lapsed in times of Persecution, tho' they did repent; for this they thought a *Spiritual Pride, a Sin of the Soul.*

3. 3. The Great Synod strictly forbids Bishops, Priests and Deacons, and all Clergymen, to retain any * *Woman* in their houses, *under pretence of her being a Disciple* to them; but only a Mother, Sister, Aunt, or other unsuspected Person.

* So I turn the *Greek* συνείσακτον, for want of a proper *English* Word to render it by. Bishop *Beveridge*, after *Justellus*, has effectually shew'd that this is the Meaning of it, *viz.* a Woman kept not for Lust, or breeding of Children, but for Improvement in Religion. Afterwards

wards Women Recluſes had ſuch Men whom they converſed with, not for Carnal, but Spiritual Reaſons: yet neither of them had the good Fortune to be believ'd.

4. A Biſhop ought to be *conſtituted* by all the Biſhops that belong to the Province; but if this be not practicable, Three muſt by all means meet; and when they have the Conſent of thoſe that are abſent, ſignify'd by Letter, then let them perform the *Conſecration*, and the Ratification of what is done muſt be allow'd to the Metropolitan. 4.

5. Let Sentence according to † *Canon* prevail, that Clergy-men, or Lay-men, being Excommunicated be not receiv'd to Communion by others: and let there be a Synod of the Biſhops of every Province, that Examination be made whether any have been Excommunicated by the too great Severity, or Raſhneſs of the Biſhop. Let one Synod be held before *Lent*, that ſo, all Animoſity being remov'd, a pure Oblation may be offered to God; the other about *Autumn*. 5.

† That is, *Apoſtolical Canon* 12. The Provincial Synod is here ſtyled a Synod of Biſhops only. See *Can. Ap.* 37 *Antioc.* 20. *Chalc.* 19. *Afr.* 18. *Trull.* 8. 38

N. B. *By the Diſcipline of the Church of this Age, Excommunication is ſuppoſed to be paſſed by the Biſhop only; but under Correction of a Synod.*

A pure Oblation. See *Can. Apoſt.* 2. & 6.

* 6. Let

6. *6. Let Ancient Customs prevail, [as for Instance] those in *Ægypt*, *Libya*, and *Pentapolis*: that the Bishop of *Alexandria* have power over all these, since the same is customary for the Bishop of *Rome*. Likewise in *Antioch*, and other Provinces, let the Privileges be secured to the Churches. This is manifest as any thing at all, that if any be made a Bishop, without Consent of his Metropolitan, this Great Synod has determin'd, that such a one ought not to be Bishop. If any two or three, out of Affectation of Dispute, do contradict the Suffrage of the Generality, when duely pass'd according to Ecclesiastical Canon, let the Votes of the Majority prevail.

Russinus his Sence of this Canon seems to be very true and clear, tho' in fewer Words than the Canon itself, *viz.* that *the Ancient custom be kept both in* Alexandria *and* Rome; *that he* [*the Bishop of* Alexandria] *have the Care of* Ægypt; *the other* [*the Bishop of* Rome] *of the Suburbicary Churches*, i. e. over all those Places in *Italy*, *Sicily*, *Sardinia*, *Corsica*, &c. over which the Præfect, or Vicar of the City of *Rome* had Jurisdiction in Temporal Affairs: and even the old *Latin* Paraphrastical Version of these Canons, which was more Ancient than that of *Dionysius Exiguus*, confines the Jurisdiction of the Bishop of *Rome* to the Suburbicary Churches, and so does the *Arabick* Version of *Josephus Ægyptius apud Bever.* tho' in other Words. And not only the Two Editions of Canons already mentioned, but that of *Dionysius Exiguus*, and even *Isidorus Mercator*, call the several Districts in which the Bishops of *Rome* and *Alexandria* exercised their Juris-

Jurisdiction, *Provinces*; whereas the District of a *Patriarch* was always called his *Diocese*: that of an Inferior Bishop, his *Parish*: And therefore by Metropolitans here can't be meant Patriarchs, as *Valesius* and even *Balf. Zonar.* and *Aristenus* would have it: tho' it must be own'd, that the Three Metropolitans here mention'd had probably the largest Provinces; or however were the most remarkable on the account of the largeness of their Cities, and had a proportionable Deference paid to them. The reason why such particular care was taken of the Privileges of the Bishop of *Alexandria*, was, that *Melctius* Bishop of *Lycopolis* being Deposed about 20 Years before this Council, by *Peter* Bishop of *Alexandria*, in a Provincial Synod, for Idolatry, and other Crimes, did yet ordain several Bishops and Clergy-men in *Ægypt*, without the consent and in opposition to the Sentence passed against him by the Bishop and Synod.

Let it further be observed, that the Authority of Metropolitans must have been much Older than this Synod: For here their Privileges are call'd *Ancient Customs*.

7. Saving to the Metropolitan its proper Dignity, let the Bishop of *Ælia* have the next place of Precedence: because Custom and Ancient Tradition have obtain'd, that he should be Honoured.

Ælia was that City which the Emperor *Ælius Adrianus* built near to that Place where *Jerusalem* formerly stood, and was in after-Ages call'd *Jerusalem*. The Metropolitan was *Cæsarea*, and this Canon does not take away his Authority, which reach'd all *Palastine*, but rather confirms it; only gives the next place to him of *Ælia*.

* 8. As

8. * 8. As to those who call themselves *Puritans*, if they come over to the Catholick and Apostolick Church, the Holy Synod Decrees, that † *they who are Ordained shall continue in the Clergy*; having first professed in Writing, that they will adhere to the Decrees of the Catholick Church; that is, that they will Communicate with those that have Married a Second time, and such as have lapsed [under Persecution:] when none but they are found to be Ordained in any City or Village, they shall remain in the same Order; but if any come over where there is a Bishop or Priest of the Catholick Church, 'tis clear that the Bishop of the Church ought to retain his Dignity; and he that had been named Bishop by the Puritans, shall have the Honour of a Priest, unless the Bishop think fit to impart to him the Nominal Honour [of a Bishop] Otherwise he shall provide for him the Place of a Village-Bishop, or Priest; that so there may not be Two Bishops in one City.

† Some would have turned these Words, *let them remain in the Clergy after they have first received imposition of Hands*, after *Dionys Exiguus*, the old Translator, and *Josephus Ægyptius*; but I rather chose to follow *Bals.* and *Zon.* and Bishop *Beveridge*; or rather, the *Greek* Original.

By *the Puritans* we are to understand the *Novatians*, who would not Commune with the Catholick Church, under pretence that her Communion was Polluted by admitting those to the Sacred Mysteries, who thro' infirmity had Sacrificed

ficed to Idols in Times of Persecution, tho' they upon the first opportunity expressed their Sorrow and Repentance, and, with St. *Peter*, lamented their Fall. The Church did not receive them till after a long Penance; the *Novatians* not at all. Afterwards a Humour took them, that they would admit none to Communion, who Married a Second Time. Before the Council of *Nice* the main occasion of their Schism ceased: For when the Emperor was become Christian there was no further apprehension of Mens being forced by the Civil Power to Sacrifice to Idols; and as to the other Point, they never did so zealously insist upon it, as the former: Therefore no doubt but they were generally Converted; and by this Canon the Fathers endeavoured to make room for them in the Church. These *Puritans* were not only Orthodox as to their Faith, but they retained Episcopal Ordination: therefore Orders received amongst them were not look'd upon as null or invalid.

9. Whoever have been promoted to be Priests without Examination, or having been Examined have Confessed their Sins; and yet Men acting contrary to the Canon have laid hands on them; such as these the Canon does not admit of. 9.

The Canon here mentioned, is the 13 14 15 17 18 19 *Apost. Can.* If such Persons had been allowed Ordination, the Discipline of the Church might have been defeated: For a long Penance was injoined such Delinquents; but Clergy men were not allowed to be under a long Penance. Deposition was the Censure to be passed upon them.

10. 10. Whatever Perſons having laps'd, have afterwards been Ordained thro' ignorance, or even with the knowledge of thoſe who Ordained them; this ſhall not prejudice the Canon of the Church: For being diſcovered they ſhall be Depoſed.

Having laps'd, viz. by Sacrificing to Idols, delivering up their Bibles, *&c.* The Canon here meant is probably *Can. Apoſt.* 54. 62.

11. 11. As to thoſe who have *tranſgreſſed* without neceſſity, loſs of Eſtate, and the like, during the Tyranny of *Licinius*; as many of them as do ingenuouſly repent, let them † if they were [formerly] Communicants, ſpend Three Years amongſt the *Hearers*; for Seven Years they ſhall be *Proſtrators*; but for Two Years they ſhall Communicate with the People in Prayer, without [being admitted to] the *Oblation*.

By *Tranſgreſſing*, here is meant Sacrificing to Idols, *&c.*

My Reader may here once for all obſerve the ſeveral Stations of all that were retainers to the Chriſtian Church. The *Mourners*, πρὸς κλαίοντας were ſuch as having been guilty of very groſs Crimes were Excommunicated, and not yet admitted to Penance, and therefore were called ἀκλαῦτοι in the 81 Canon of St. *Baſil*, and in the 1 Canon of *Peter* of *Alexandria*; but ſtood without the Church Doors begging of Clergy and People as they went in, to intercede for them. Sometimes *Catechumens* were by way of Penance obliged to ſtand among the *Mourners*. See *Not.* on *Can. Neo-Cæſ.* 5.

Juſt

Just within the Church Door stood the Κατηχούμενοι, *Catechumens* or *Learners*, such as professed Christianity, but were not Baptized; with them stood the *Hearers*, who were indeed a less perfect Sort of *Catechumens*; namely, such as did not yet desire or intend to be Baptized, but were, as it were, *Seekers* or *Sceptics* in Religion. The Learned *Cotelier* in his *Notes* on *Const. Apost.* L. 2. c. 34. and L. 8. c. 5. proves, that Heathens were of Old admitted to hear all the Service to the *Missa Catechumenorum*. As soon as any Christian Criminals were admitted to Penance, they were allowed to come and stand amongst these *Hearers*. Behind these also stood the Χειμαζόμενοι or Ἐνεργούμενοι, *Dæmoniacs*. See *Can. Ancyr.* 17. Next above the *Hearers* were the ὑποπίπτοντες, *Prostrators*, so call'd, because tho' they were dismiss'd with the *Catechumens*, yet not before they had prostrated themselves before the Bishop, Clergy and Communicants, who also all fell down in Devotion together with them; and then the Bishop rising up did also erect these Penitents, and used a proper Prayer on that Occasion. These were such as had been Communicants, but had been guilty of some gross Crime. Above these were the Πιστοὶ, the *Faithful* or *Communicants*, as I generally turn this Word: together with these were the Συνιστάμενοι, *Co-standers*, as I beg leave to call them, till some more proper Name offers it self, who had their places amongst the Communicants, and differed in nothing from them, but only this, that they were not admitted to the Holy Mysteries till the time of their Penance was compleated; these are they *who Communicated with the People in Prayer, without being admitted to the Oblation.* The Bema, Chancel, or Choire, was the most Sacred Part of the Church, in the

middle whereof ſtood the Altar or Holy Table; and at the Eaſt end the Biſhop had his Throne, and on each hand of him the Prieſts had their Συνθρονον in a Semicircle: the Deacons and other Clergy being in the *Diaconicon*, or Iſle on the North-ſide of the Chancel, or in their ſeveral Poſts at the Doors, in the *Ambon*, or Desk, or taking their Rounds in the Congregation, to keep a Decorum, and ſee that all things were duly regulated.

† I here follow the Old *Latin* Verſion in *Binius*, which was made from a Copy that read ἐὰν πεσὼν; tho' if you read οἱ, or ὡς πεσὼν, as moſt do, yet ſtill the Senſe muſt be the ſame; but thus it runs moſt clear.

12. 12. Let them, who after having thrown off their Girdles again return'd to their vomit (ſo as that ſome of them have even Purchaſed a Place in the Army) be *Proſtrators* Ten Years, after they have been *Hearers* Three Years; but the Biſhop may uſe ſome Favour toward thoſe who demonſtrate their Converſion in reality, as well as appearance; ſo as after the determined time of being *Hearers*, to let them *partake of the Prayers.*

Licinius had put out an Edict, that whatever Soldiers would not Sacrifice to the Gods, ſhould be Disbanded; which was the occaſion of many Soldiers *throwing away their Girdles*, that is, quitting the Military Life, rather than committing Idolatry. If any of theſe afterwards procured a Place in the Army, on condition of Offering Sacrifice, then they were liable to the Diſcipline mentioned in this Canon. They are much mi-

ſtaken

ſtaken, who ſuppoſe that Chriſtians are here forbid to be Soldiers, or bear Arms, or who by the *Girdle* underſtand the Monaſtick Life.

Hearers, Proſtrators, them who partake in Prayers. See Notes on the preceeding Canon.

13. Let none [of the fore-mentioned Perſons under Penance] be depriv'd of his neceſſary *Viaticum*, when he departs out of this Life; but the *Old Canonical Law* ſhall be obſerved: But if ſuch a Perſon being given over for dead, and thereupon do again recover, let him remain among them who Communicate, in Prayers only. Let the Biſhop, upon Examination, impart the Oblation to all who deſire it, at the hour of Death. 13.

The *Viaticum*, and *Oblation*, is the Holy Communion; *the beſt Proviſion for the Road*, for him that is going to his eternal home.

Here let the Reader obſerve mention of an *Old Canonical Law*, which is an infallible Proof, that there was ſuch a thing long before the Council of *Nice*; yet I can find nothing to this purpoſe, except *Can. Apoſt.* 44. 52. which commands *Biſhops and Prieſts, to receive all Sinners upon repentance:* For if all are to be received ſometime or other, then 'tis evident, that the greateſt are to be received at the hour of Death: and this ſeems to me to be as great a Proof of the Authentickneſs of thoſe Canons, as any produced by Biſhop *Beveridge*, or any other; and therefore I can't but wonder, that it ſhould be overlook'd by them. The Canons of *Ancyra* and *Arles* cannot be here meant: for they were made but 10 or 11 Years before this of *Nice*, and ſo

could not be called *Old*; much leſs could the Reſolution of one ſingle Biſhop, *viz. Dionyſius* of *Alexandria*, or of the Presbytery of *Rome* in the Vacancy of that See by the Death of *Fabian*, deſerve the Title of a *Canonical Law*, unleſs they had been Confirmed by ſome Canon.

14. 14. The Holy Synod Decrees, that *Catechumens* having lapſed, ſhall be *Hearers* only, for Three Years; and afterwards Pray with the *Catechumens*.

By *Catechumens*, here you are to underſtand the moſt perfect Sort, ſuch as were called *Competentes*; that were allowed to be Baptized, and only waited for the proper Seaſon of receiving that Sacrament, or had at leaſt deſired to be partakers of it.

15. 15. For the taking away the Cuſtom, which prevails in ſome places contrary to Canon †; 'tis Decreed, that neither Biſhop, Prieſt, nor Deacon, remove from City to City; and that if any one attempt it, all the Proceedings in this Caſe ſhall be null, and the Party ſhall be reſtored to the Church in which he was Ordained.

† That is *Can. Ap.* 11. which ſee, and the *Note* upon it.

14.

16. 16. No Prieſt, or Deacon, nor any belonging to the *Canon*, ought to be receiv'd in another Church, if they go thither without the fear of God, and thro' ignorance of the *Canon* of the Church; but muſt be compelled to return to their proper Pariſhes;

riſhes; or if they do not, be Excommunicated: and if any one dare ſurreptitiouſly to Ordain him in his own Church, who belongs to another, without the Conſent of his Biſhop, let the Ordination be null.

By the *Canon*, in the firſt place, is meant the Liſt, or Catalogue of the Clergy, as 'tis elſewhere called. See *Can.* 17.

By the *Canon*, in the ſecond place, we are to underſtand *Can. Apoſt.* 12 15, 16.

There were two ſorts of Excommunication, ſays *Zonaras*, and from him Biſhop *Beveridge*, the one from receiving the Euchariſt, which only Laymen were ſubject to; the other from being any ways concern'd in the Adminiſtration of it, which was peculiar to delinquent Clergy-men, which we now call *Suſpenſio ab Officio.* See *Can. Eph.* 1. but then this muſt be underſtood of the early times of the Church, for afterwards Clergy-men as well as Lay-men were Excommunicated, in our Senſe of the Word, before they were Depoſed.

17. Becauſe many rehearſed in the *Canon* do exerciſe Uſury, ſo as to demand *every Month the hundredth part of the Principal*, the Holy Synod thinks it juſt, that if any take [ſuch] Uſe, by ſecret Tranſaction, or by demanding the Principal, *and one half of the Principal for Intereſt*, or contrive any other Fraud for filthy lucres ſake, let him be Depoſed from the Clergy, and not belong to the *Canon.* 17

That this Canon here ſignifies the Liſt of the Clergy, is too clear to need a Proof.

The *Centesima*, or *paying the hundredth part of the Principal for every Month*, which is at the rate of 12 *per Cent.* was the Legal Usury among the Ancients; and whereas many had exceeded, *Constantine* reduced Usury again to this proportion by a Civil Law made just before this Canon; but the Fathers did not think fit, that the Church should be allowed such high Use as the Civil Law permitted.

That was the most unmerciful Usury whereby, *together with the Principal, one half of the Principal was demanded for the Use* of a few Months, this the *Greeks* called Ἡμιολία, which is the second sort of Usury expresly forbid in this Canon. This Use was chiefly exacted from indigent Husband-men, who used in Seed-time to borrow one Bushel of Corn, on Condition to repay one and a half the next Harvest, and the same in proportion for any greater quantity. St. *Hierome* observes, that they who exercised this sort of Usury argued very plausibly, *viz. I lent one Bushel, which being sowed produced ten, is it not reasonable, that I should have half a Bushel more than I lent, since he has gain'd nine and a half by my Liberality?* 'Tis not to be wonder'd, that such excessive Usury was forbidden to Clergy-men. See *Can. Ap.* 36. 34.

18. 18. Neither Canon nor Custom permits, that Deacons, who have not Power to make the Oblation, should administer the Body of Christ to Priests who have that Power: let the Deacons therefore keep within their proper bounds, and receive the Eucharist either from the Bishop, whose Attendants they are, or from the Priests and

and after them. Let not the Deacons ſit among the Prieſts contrary to Canon and Order: and if any will not obey, let him deſiſt from the Function of a Deacon.

19. A Decree has been made, that *Paulianiſts* returning to the Catholick Church be Re-baptized; and that they, who were of their Clergy, if they be under no Blemiſh, be Ordained by the Biſhop of the Catholick Church, after they have firſt been Re-baptized, but if upon Examination they do not appear to be qualify'd, let them be depos'd. The ſame Rule ſhall be obſerved in relation to their Deaconeſſes, who are reckon'd among the Laity as having received no Impoſition of Hands, but are diſtinguiſh'd by their Habit. 19.

By *Paulianiſts* we muſt underſtand, either the Followers of *Paulus Samoſatenus*, Biſhop of *Antioch*, as the Generality ſuppoſe, or one *Paulus*, Biſhop of *Samoſatum*, a *Manichæan*, as *Balſamon* will have it, through a great Miſtake, as I have Reaſon to believe: but neither of theſe Baptized in the Name of *Father, Son, and Holy Ghoſt*, and therefore their Baptiſm was null according to the 39 47 *Ap. Can.* which ſeems to be the *Decree* here mentioned.

*20. Becauſe there are ſome who kneel on the *Lord's-Day*, and even in the Days of *Pentecoſt*; that all things may be uniformly performed in every *Pariſh*, it ſeems good to the Holy Synod, that Prayers be made to God ſtanding. 20.

Pentecoſt here denotes the whole 50 Days from *Eaſter* to *Whitſun-tide* inclusively.

Pariſh, i. e. *Dioceſe*. See *Ap. Can.* 11 14.

Some Writers of the Church of *Rome* would perſuade us, that there were many more Canons made at *Nice* beſides theſe 20; and they labour very hard to prove it; but all to no purpoſe: All other Canons in the Name of this Council are fictitious. *Du Pin*, and all Men of Temper in the Church of *Rome*, acknowledge no more than theſe.

Ancyran Canons.

THE Synod of *Ancyra* in *Galatia*, was held *A. D.* 315, before that of *Nice*, tho' this latter be firſt placed in the Code, out of Honour to that Church to which Chriſtians have in all Ages paid a very ſingular Deference. The *Ancyran* Synod conſiſted but of 18 Biſhops, who met to reſtore Diſcipline, and regulate the Penances of thoſe who had lapſed in the time of Perſecution.

21. 1. 'Tis Decreed, that thoſe Prieſts who did at firſt Sacrifice [to Idols], but afterward enter'd the Conflict, if they were compelled by Torments [to Sacrifice] and uſed no Trick, whereby to appear to be forced, when really they did it of their own

own accord, ſhall retain * *the Honour of their Chair*; but not perform the Oblation, or † *Preach*, or concern themſelves in the Sacerdotal Liturgies.

* That is, they ſhall continue to ſit in the *Bema*, on the right, or left hand of the Biſhop. See Note on *Can. Nic.* 11.

† Here *Preaching* is reckon'd among the Offices which ordinarily belong'd to the Prieſt.

2. And alſo that Deaçons that have Sacrificed [to Idols], and yet afterwards enter'd the Conflict do not concern themſelves in the Sacred Liturgies, *offering the Bread, or Cup*, * or *making the uſual Proclamations*; but have the Privilege of their Seat: but that the Biſhops have Power to increaſe, or abate [from this Cenſure] if they find them truly humbled. 22.

Offering the Bread, &c. the *Greek* Word is ἀναφέρειν. 'Tis own'd indeed that the Deacon could not προσφέρειν, that is, make the firſt ſolemn Oblation at the time of the Conſecration; but the tendring of the Holy Myſteries to the Communicants, with thoſe ſolemn Words, *the Body and Blood of Chriſt*, was look'd upon as a ſort of Re-Oblation. And the Oblation itſelf is called Ἀναφορὰ *Ap. Can.* 2 3. The Words of *Laurence* the Deacon to his Biſhop *Sixtus*, are very remarkable to this purpoſe, and too well known to need a Repetition.

* The Prieſt's Office was ὁμιλεῖν, *to Preach*, See *Can.* 1. the Deacon's κηρύττειν, to make the Proclamations. *viz. Let no one bear ill will againſt another, Go, there is a Diſmiſſion, Go in peace.*

3. They

23. 3. They who fled, but were apprehended, or betray'd, or have born the loſs of their Eſtates, or Tortures, or Impriſonment, declaring the while, that they were Chriſtians, tho by violence they had ſomething [*i. e.* Incenſe] put into their Hands, or were forced to receive Meat [offered to Idols] into their Mouths, and have all along ſhew'd themſelves griev'd at what happen'd by their Behaviour, and Habit, and humble Courſe of Life, theſe being without ſin, are no longer by any to be hindred from Communion, nor if their former courſe of life were commendable, from being ordained, if they be Laymen.

24. 4. If they who were compelled, went [to the Idol Temple] in a Feſtival Habit; and did take ſhare of the Feaſt with unconcernedneſs, 'tis decreed, that they be *Hearers* one Year, *Proſtrators* three Years, and that they Communicate in Prayers only for two Years, and ſo come to *Perfection.*

Hearers, Proſtrators, &c. See Not. on *Can. Nic.* 11. *To Perfection*, i. e. the Communion. See *Can.* 5.

25. 5. They that came in a Mourning Habit, and lay down, and wept, and eat, after they have been Proſtrators three whole Years, let them be received, but *without the Oblation:* If they did not eat, let them be Proſtrators two Years, on the third

third let them Communicate *without the Oblation*, that in four Years time they may come to *Perfection*; but that the Bishop have Power to increase or abate the time, having examin'd their Course of Life, both before, and since.

By *being received without the Oblation*, Bishop *Fell* in his Notes on 1. Ep of St. *Clement*, supposes 'tis meant that they shall receive the Sacrament, but not be permitted to make their Offering, and from thence concludes, that it was a Privilege for People in the Primitive Church to be allowed to make their Offering, or to have it accepted: but I suppose it is clear beyond dispute, that by the *Oblation* here, and in all these Canons, is meant the Sacrament itself: and they who were *received without the Oblation* were the same with those mentioned *Can. Nic.* 11. *who Communicated in Prayer, but were not admitted to the Oblation*, in other places called *Co-standers*. *Perfection*, See Not. on *Can.* 4th. *Dionysius Exiguus* makes but one Canon of the 4th and 5th, and consequently but 24 in all.

6. It is Decreed, That they who yielded, and Sacrificed upon their being threatned with loss of Estate, or Banishment, and have not before repented, but about the time of this Synod, are come to a Resolution of Conversion, that they be admitted to be Hearers till the Great Day [of *Easter*], and after that to be Prostrators three Years, and for two Years more to Communicate without the Oblation, and so come to Perfection: and if any have been admitted to Penance before the time of this Synod, let their six Years [of Penance] be reckon'd from 26.

from the time they began, and if danger of Death happen, let them be receiv'd, * *but under limitation.*

* That is, that if they recover, they fulfil their 6 Years of Penance.

27. 7. As for thoſe that have been Gueſts at the Heathen Feaſts*, in a Place aſſigned for Heathens, but brought, and eat their own Victuals [only], tis Decreed, that they be receiv'd after they have been Proſtrators two Years; but whether with or without the Oblation the Biſhop is to determine, after having examin'd the reſt of his Life.

28. * 8. Let them, who have twice or thrice Sacrificed upon force, be Proſtrators four Years, and Communicate without the Oblation two Years, and the ſeventh Year let them be perfectly received.

29. 9. As to thoſe who have not only lapſed, but have forced, or been the occaſion of forcing their Brethren, let them be Hearers three Years, Proſtrators ſix Years; one Year let them Communicate without the Oblation, that after ten Years they may attain Perfection.

30. 10. Thoſe Deacons, who at their being Ordained profeſſed they had occaſion to Marry, if they do ſo, let them continue in their Attendance; but if any ſaid nothing of this, but undertook to remain as they were, let them ceaſe from their Miniſtration.

* 11. It

* 11. It is Decreed, that a young Woman espoused to one, but ravish'd by another, be restored to him to whom she was espoused, tho' she have been ravish'd by another. 31.

Here *Balsam.* puts in a very proper *Cave, viz.* If he, to whom she was espoused, demand her to be his Wife.

* 12. 'Tis Decreed, that they who were Baptized since they Sacrified [to Idols] may be promoted to Orders, as having been wash'd clean. 32.

This Canon is to be understood of those, who laps'd while they were *Hearers*, or *Catechumens*. *Balf.* will have it, that not only Baptism, but being Ordained Bishop, or Anointed Emperor, purges away all Corruption contracted before Ordination, or Unction, and that even Priest's Orders blot out a Lye, or any lesser Sin, but not such as deserve Deposition.

13. 'Tis not allow'd that a Village Bishop do Ordain Priests, or Deacons; nor that the Priests that are in every Parish do any thing without the Licence of the Bishop in Writing. 33.

In Translating the latter part of this Canon I follow *Dionysius Exiguus*, *Quesnellus*, Bishop *Beveridge*, and *du Pin*; the common Copies are unintelligible.

The Village-Bishop, *Chorepiscopus*, was undoubtedly a Bishop in all respects, but had his power limited by the City Bishop. They were such Bishops as many of our *English* Bishops may still con-

constitute in remote Parts of their Dioceſes. See First Part, Cap 6.

Whether *Pariſh* here be taken in the Ancient, or the Modern Senſe, I leave to my Reader to judge.

Mr *Calamy* in his Defence, *Part* 1. *p.* 101. to make this Canon ſpeak his Senſe, turns ἐν ἑτέρᾳ (or ἑλέρᾳ) παροικίᾳ *in any Pariſh*, for which I leave him to the Correction of his own Lexicon, and yet after all cannot bring this Canon over to his ſide, but by ſuppoſing that Village-Biſhops were inferior to City-Prieſts, for thus the Canon goes according to his Tranſlation, *It ſhall not be allowable for Country-Biſhops to Ordain Prieſts, or Deacons; no nor for City-Prieſts to do it in any Pariſh without the Command, or Letters of the Biſhop.* Let it be ſhew'd that in any Writing, of this or any other Age, a Prieſt was ever reckon'd to be ſuperior to a Biſhop.

34. 14. 'Tis Decreed, that Biſhops and Deacons who abſtain from Fleſh, ſhall taſte it, and then abſtain, if they think fit; but if they will not, nor even eat of the Herbs which are mingled with the Fleſh, that they ceaſe from their Function.

See *Can. Ap.* 43. 51. By taſting or touching Fleſh they declared, that they thought there was no uncleanneſs it, which was what the Orthodox Fathers intended to clear.

35. 15. The Church may re-aſſume whatever the Prieſts have Sold during the Vacancy of the See: 'Tis left to the diſcretion of the Biſhop, whether to take the Purchaſe-

chase-Money or not: For that is often greater than the Value of what was Sold.

By this Canon it appears, that the Priests of every Church were Guardians of the Temporalties during the Vacancy of the See: but not so as to have Power to alienate; and that they were likewise Guardians of the Spiritualties is allow'd by all.

By *the Church*, κυριακὸν, is here meant *the Fabrick*, or *the House of the Lord*; and from this *Greek* Word evidently comes our *English Church*, more properly *Kyrk*, Sax. Cyric You have this Word again *Can. Laodic.* 27.

16. Let those who are guilty of Bestial Lusts before they are 20 Year olds, Communicate in Prayers after they have been Prostrators 15 Years; and when they have so Communicated 5 Years, then let them partake of the Oblation; but let them who exceed that Age, and are Married, and fall into this Sin, be Prostrators 25 Years, and then Communicate in Prayer 5 Years, and so attain the Oblation: but if any transgress, being Married and above 50 Years of Age, let them Communicate at the Point of Death. 36.

17. The Holy Synod has charged, that they who are guilty of Bestial Lusts, and have the Leprosy, * *that is, infect others, should pray amongst them, who stand exposed to the weather.* 37.

* So I render ἤγουν λεπρώσαντας. ἤγουν sometimes signifies, *that is*, *viz.* or the like, and that the Participle is to be taken in an active Sense.

I have

I have the Authority of *Dionyſius Exiguus*, and ſeveral others, and the thing proves itſelf. For in the former Canon they who were *guilty of Beſtial Luſts*, were not placed below the Proſtrators. Since then they who are here cenſured were put below theſe, 'tis plain their Crime muſt have greater, becauſe their Puniſhment was ſo; and 'tis not eaſy to ſay how they could aggravate their Crime, but by inſtructing or tempting others to commit it. Some would have it thought that the Canon is to be underſtood literally of thoſe who have the *Cutaneous* Diſeaſe called *Leproſy*: but then the Difficulty returns, *viz.* that the ſame Crime, *viz. Beſtial Luſt*, is puniſh'd more ſeverely in this Canon, than the former; and further, why ſhould Leprous Perſons be treated as Sinners?

By *thoſe that ſtand expoſed to the Weather*, &c. χειμαζόμενοι, we are to underſtand thoſe who were in the loweſt Degree of Penitents, who ſtood juſt at the Entrance into the *Narthex* or *Porch*; *viz.* the *Hearers*, or the *Damoniacks*; for if there were any ſuch Perſons belonging to any Church, they were always placed juſt at the Entrance of the Porch. The Scholiaſts by χειμαζόμενοι underſtand *Perſons agitated by evil Spirits.*

38. 18. If any being Conſtituted Biſhops, but not received by the *Pariſh* to which they were nominated, will invade other *Pariſhes*, let them be *ſuſpended from Communion*: If they will accept a Seat among the Prieſts of that Church to which they formerly belong'd, let them not be Deprived of that Honour; but if they raiſe Sedition againſt the Biſhops, let them be deprived of the Honour of *Presbytery*, and *be abdicated.* *Pariſh*,

Parish, See *Can. Ap.* 11. 14. *Not. Suspended from Communion*, See *Not.* on *Can. Ap.* 3. 6.

Presbytery, or Priesthood, is here used in the same Sense that Mr. *Calvin* understands it, 1 *Tim.* iv. 14.

By this Canon it is clear, that the Nomination of the Bishop was not in the People in this Age: For how can it be conceived, that a Bishop should not be receiv'd by the Parish that had elected him?

19. Let Virgins that have been false to their Profession be treated as *if they were Digami*. We do forbid Maids to live with Men, † *under pretence of living in a Sister-like manner.* 39.

Of *Digami*, See *Can. Laod.* 1. *Neo-Cæs.* 3. It is plain that by some former Canon made in this Province, or Country, the Penance of the *Digami* was determined and well known, *See* Can. 21.

† That is not Lewdly, but as chastly as Brother and Sister might be supposed to dwell together in the same House.

20. Let any Woman or Man guilty of Adultery, attain Perfection in Seven Years, † *according to the terms before prescribed.* 40.

† Perhaps those mention'd *Can.* 8. tho' it must be confess'd, that the time of Penance there prescribed was but Six Years; therefore I rather understand the Words of some Ancient Canon or Custom in these Churches.

41. 21. A former Canon has forbid Women that being with Child, but unmarried, have procured Abortion, to be admitted to Communion before the point of death; but we using more lenity, do Decree, that they be under Penance Ten Years, † *according to the Terms before prescribed.*

† *Viz.* Those mention'd *Can.* 9. Three Years *Hearers*, Six Years *Prostrators*, One Year *Co-standers.*

42. 22. Let wilful Murderers continue to be *Prostrators* to the end [of their Lives,] and then be admitted to the favour of Perfection.

43. 23. The First Constitution order'd, that they who are guilty of involuntary Murder, should be Partakers of Perfection in Seven Years time, * *according to the Terms before prescrib'd*, the Second in 5 Years.

* See *Can.* 20. 21. Here is mention of a *former*, or *First Canon* or *Constitution*, both in the 21. and 23. and of a *Second Constitution* in the 23. by which is plainly hinted to us, that they had in these Churches several Old Canonical Provisions made for regulating the Penance of Offenders; and consequently that they had prescrib'd measures of Proceeding in Administring Church Discipline, introduced and allowed from time to time at the discretion of the Bishops.

44. 24. Let those who use South saying after the manner of the Heathen, or entertain Men to teach them *Pharmacy* or *Lustration*, fall under Three Years of Prostration

tion, Two Years of Communion in Prayer without the Oblation.

Pharmacy probably signifies here, as it do's in the Epistle of St. *Paul* to the *Galatians* v. 20. the compounding of Philtrums, or Love-doses. *Lustration*, the Antidotes, by which they repelled or prevented the effects of such Doses. See *Can. Bas.* 7.

25. One Espoused a young Woman, afterwards got her Sister with Child, then Married her whom he had Espoused; the other Sister made away with herself. All that were concerned in this Affair were ordered, after Ten Years Penance, * *according to the Terms prescribed*, to be received among the † *Co-standers.* 45.

* See *Can.* 20, 21, 23. † See *Not.* on *Can. Nic.* 11.

Neo-Cæsarean Canons.

THE Synod of *Neo-Cæsarea*, a City in *Pontus*, was held much at the same time with that at *Ancyra*, and much on the same occasion. Nineteen Bishops Names are Subscrib'd to it.

* 1. If a Priest Marry let him be * *removed from his Order*; if he commit Fornication or Adultery, let him be Excommunicated and brought under Penance. 46.

* Whether

* Whether Τάξεως μεταπίπτειν signify to be Deposed, or only to be Suspended from his Office, or lastly to be degraded into the rank of Deacons: I will not determine: but the Words seem to me to denote no more, than to be translated or removed from a Superior to an Inferior Order. See *Can.* 9. 10. Yet Bishops were not permitted to be Degraded. See *Can. Chalc.* 29. However this is certain, that no one is by this Canon forbid Priests Orders, on account of his being Married; but only to Marry after he is Ordained Priest. See *Can. Ap.* 19. 43. 27. 51.

And let it be observed, that this Canon is more severe on the Priest who commits Fornication, than *Can. Ap.* 18. 25. 26. For by that he was only Deposed; by this he is Excommunicated too, and brought under Penance, as Lay-men were; which is a very considerable Alteration in Discipline, and that, I think for the better.

47. * 2. If a Woman marry Two Brothers [successively] let her be Excommunicated till [her] Death; but if at the point of Death, she promise to forego the Marriage, in case she recover, she shall by indulgence be admitted to Penance; but if the Woman or Husband die in such Marriage, the surviving Party shall not easily be admitted to Penance.

48. 3. The time of their Penance who are guilty of Marrying many successively is well known; but their Faith and alteration for the better, may shorten that time.

'Tis

'Tis probable, that the Penance mentioned by St. *Basil*, *Can.* 4. is that here spoken of, *viz.* a Year or Two for Marrying a Second Time, 3 or 4 for Marrying a Third Time, 5 for Marrying a Fourth Time.

* 4. If any Man lusting after a Woman do resolve to lie with her, but be disappointed, 'tis evident that he is sav'd by Grace. 49.

This Canon looks more like an Article of Doctrine, than a Rule of Discipline; unless you'll suppose the meaning of it to be, that such a Person *is sav'd from Penance, and does not fall under Church-Censure*, tho' by some overt Act, or by his own Confession it does appear that he resolv'd to commit Lewdness. So *Zonaras* takes it in his *Scholion* on 32d *Can. Bas.*

* 5. If a *Catechumen* entring into the Church, have stood in the Station of *Catechumens*, and yet be guilty of Sin, if he be one of the *Kneelers*, and desist from his Sin, let him become a *Hearer*; but if he Sin while he is a *Hearer*, let him be expelled. 50.

The *Syntax* of this Canon in the *Greek* is very singular, and therefore 'tis to be hop'd the Reader will excuse the Translation, if it be not very clear. By the *Catechumens* that were *Kneelers*, is meant the more perfect Sort, who had desired Baptism, and were not dismissed from the Assembly, till they had first *kneeled* down and received the Benediction or Prayer which was said over them.

By

By being *Expelled*, *Balſ.* and *Zonar.* tells us, we are to underſtand, that they were to ſtand among the *Mourners*. See *Not.* in *Can. Nic.* 11.

51. 6. A Woman with Child may be Baptized when ſhe pleaſes; for the Woman in this Caſe Communicates nothing to the Child: Becauſe every particular Perſon's reſolution is expreſſed in the Confeſſion ſingly by itſelf.

Mr. *Wall* on this Article obſerves, that whether theſe Fathers were for or againſt Infant-Baptiſm, they would have determined this Point in the ſame manner they have: And has diſcovered a great Miſtake or Prevarication in *Grotius*; becauſe he would from hence inferr, that *a Child was not to be Baptized, but upon its own Will and Profeſſion:* for which he alſo cites *Balſ.* and *Zonar:* For he is wrong in both. See how cautiouſly the Fathers Word the latter Part of the Canon; n t *every Perſon expreſſes his own reſolution*, &c. as they would certainly have ſaid, if they had been of *Grotius*'s mind; but *every particular Perſon's reſolution is* EXPRESS'D; *viz.* by the Sureties, who ſpeak for the Child. And ſo *Balſ* took it; for, ſays he, *Infants promiſe by their Sponſors.* See *Wall of Infant-Baptiſm*, p. 61. *&c.* Edit. 1ſt.

52. 7. Let not a Prieſt be preſent at a Feaſt made on occaſion of a Second Marriage: For ſince he who Marries a Second time ought to do Penance; what a Prieſt is he, who conſents to ſuch a Marriage, by being entertained at the Feaſt?

Biſhop

Bishop *Beverege* supposes that by a second Marriage is meant a Marriage contracted while the former is not dissolved; and says, that no Penance was ever inflicted on any Lay-man for Marrying a second Wife after the Death of the former. I must crave leave to dissent here. See *Can. Laod.* 1. *Can.* St. *Bas.* 4. The Penance was very easy, *viz.* one or two Years Suspension from the Communion; a harder Penance would have been injoin'd him who had two Wives alive at once.

8. He whose Wife has been openly convicted of Adultery, while he is a Lay-man, cannot be admitted into the * Ministry: If after he was Ordained, he cannot retain his † Ministry if he cohabit with her. 53.

* *Gr.* ὑπηρεσία, † διακονία, both signifying the Inferiour Offices of the Clergy, *Deaconship* at most; to be the Husband of such a Wife was always disgraceful. Conjugal Familiarity with lewd Women was supposed to be a Stain on the Husband. *Lev.* xxi. 7, 13, 14. *Can. Ap.* 14 18.

9. If a Priest confess, that before Ordination he * *sinned against his own Body*, let him not make the Oblation: but continue to do other Offices, because of his readiness as to the other Point [confessing of his Sins]; for many do assert, that his other sins are forgiven by Imposition of Hands at Ordination; but if he do not confess, and cannot be openly convicted, let him be at his own Discretion [whether he will make the Oblation.] 54.

* *Viz.* by Fornication, 1 *Cor.* vi. 18.

55. * 10. So if a Deacon fall into the same Sin [before Ordination] let him take the Rank of a † *Minister.*

† *i. e.* a Sub-Deacon. See *Can. Laod.* 20, 21, &c.

56. 11. Let none, tho' worthy, be Ordained Priest before 30 Years [of Age]: for Christ was Baptized, and began to Preach in the 30th Year.

57. 12. If any one be ‖ *enlightned* while he is dangerously sick, let him not be promoted to be a Priest, unless it be for his Diligence and Fidelity afterwards, or for want of Men [to be Ordained]: for such a one's Faith is not of Choice, but Necessity.

‖ i. e. *Baptized*; for this was the common Language of the Church in that Age, of which see the Learned Mr. *Wall*'s excellent Book.

The Ancients did all they could to discountenance the prevailing Error of those times, which was deferring Baptism till the last Extremity. And this was no new Law; for when *Novatian* was to be Ordained Priest, many of the Laity, as well as Clergy, objected against it: because he had been Baptized upon a supposed Death-bed, and they alledged, that it was unlawful for such a one to be Ordained.

58. 13. *Country Priests* may not make the Oblation in the City-Church, if the Bishop, or City-Priest be present; nor yet give the Bread, or Cup with *Prayer*; but if they be absent, and [one of the Country-Priests] be called to *Prayer*, he alone may give them: but the Village-Bishops are

are in imitation of the LXX, and as being Fellow-Officers in the same Liturgy [with the City-Bishops] may make the Oblation; for they are to be honoured for their Readiness to serve *the Poor*.

The Mention of *Country-Priests* is a sufficient Proof, that in those early Days there were some Churches in Places remote from the City, but subject to the Bishop of the City: this was one Step toward the Division of Dioceses into what we now call *Parishes*. There were long before this several lesser Churches in the City, that had one or more Priests attending them. These Priests were for Order's sake, as now amongst us, confin'd to their proper Cures, and not ordinarily allow'd to Officiate in the City.

By *Prayer* we are here to understand those *Prayers* that were used by the Bishop or Priest after Consecration; and upon, or after the Administration of the Holy Mysteries, which might not be rehearsed by the Deacon, and from hence as well as from many other Instances, particularly the Story of *Serapion*, *Euseb. Hist.* L. 6. c. 43. it appears, that the Consecrated Elements were not all consumed at that Administration, but some of them reserv'd to be used as there should be occasion; for the Country-Priest might not Offer, or Consecrate in the City, yet he might administer the Elements with *Prayer*, which supposes them Consecrated before-hand.

By *Poor* I here understand Country People, who are for the most part Poor in comparison of Citizens.

14. The Deacons must be but Seven, tho' the City be great. 59.

Gangran Canons.

THESE Canons were made at *Gangra* in *Paphlagonia*, a Country of *Asia Minor*, after the *Nicene* Synod, and some time before that of *Antioch*, and therefore not later than the Year 340. *Socrates* and *Sozomen* say, that *Eustathius*, against whom these Canons were made, was Bishop of *Sebastea* in *Armenia*; but *Baronius* gives several Reasons to shew that they were mistaken. If we know not the Man, yet we may know his Opinions by the following Canons.

60. 1. If any one abhorr Marriage, or have in abomination the Religious Woman, that is a Communicant, and sleeps with her Husband, let him be Anathema.

Here we have the first Instance of Anathematizing Hereticks in a Synod, excepting that in the Decree against *Arius*, passed at the Council of *Nice* (which is not among the Canons), and that against *Novatus*, under *Cornelius* Bishop of *Rome*. St. *Chrysostom* is against all Anathema's passed by un-inspired Men: but I can really understand nothing by it but a full Excommunication, and therefore think the one no more unlawful than the other.

61. 2. If any one condemns him that eats Flesh, if he abstain the while from Bloud, and

and things strangled, and offered to Idols, let him be Anathema.

Of eating Bloud, *&c.* See *Can. Ap.* 55 and the Note there. 63.

3. If any one, under Pretence of Religion, does advise a Slave to despise his Master, and run away from his Service, let him be Anathema. 62.

See 1 *Tim.* vi. 1. This Canon only enforces the Doctrine contained in that Verse, and the Example of St. *Paul* in sending *Onesimus*, a converted Slave, home to his Master *Philemon*.

4. If any one condemn a Married Priest, as if he ought not to partake of the Oblation when he performs the Liturgy, let him be Anathema. 63.

Let those of the Church of *Rome* reconcile this Canon with their present Practice, or with *Can.* 9. *Sess.* 24. of the Council of *Trent*, which Anathematizes those, *who deny that the Marriage of Clergy-men is null and void.*

* 5. If any one teach that the House of God, and the Assemblies held therein are to be despised, let him be Anathema. 64.

* 6. If any hold other Assemblies privately, beside the Church, and will have Ecclesiastical Offices performed without a Priest [constituted] by the Consent of the Bishop, let him be Anathema. 65.

* 7. If any one will receive, or give the Ecclesiastical *Fruits* out of the Church, 66.

without the Consent of the Bishop, or one Commission'd by him, and will not act with his Consent, let him be Anathema.

67. * 8. If any one give, or receive the *Fruit*, without the Bishop, and he that is appointed to be Steward of the Benefactions, let him be Anathema, who either gives or takes.

These Two Canons are so very much a-kin, that 'tis not easie to distinguish between one and the other; the Difference as to Sense is so very small, if any, that I leave it to the Reader to judge whether it be perceptible; they are both translated at large. The Word which I translate *Fruit* is χαρποφορία. There is little or no difference in the various Copies and Translations. What if we say that by *Ecclesiastical Fruits* in the first Canon, is meant what was given for the Maintenance of the Clergy? and by *Fruit* in the other Canon, that which was given for the Poor?

68. * 9. If any one live a Virgin, or contain, as abominating Marriage *(while he lives in a retired State)* and not for the Beauty and Sanctity of a Virgin Life, let him be Anathema.

If any one would turn ἀναχωρῶν, living as a *Monk*, or *Anchorite*, instead of *in a retired State*, I shall not oppose him. See Can. 73. 14. But tho' there were some Beginnings of the Monastick Way of Life in this Age, yet let not the Reader think, that there was any thing like what he sees under this Name in the Church of *Rome*.

* 10. If

69. * 10. If one of those who live a Virgin Life for the Lord's sake, insult those who are Married, let him be Anathema.

70. * 11. If any one despise those, who out [of a Principle] of Faith make Love-Feasts, and in Honour to our Lord invite their Brethren, and refuseth to take his share at such Invitations, let him be Anathema.

71. 12. If any Man under Pretence of Austerity use the coarse Cloak, and thinking by this means to be righteous, despise those who use the *Berus*, and other common fashionable Habit, let him be Anathema.

I shall not pretend to enter into any Critical Disquisition concerning the Shape, or Matter of the περιβολαῖον, which I translate *coarse Cloak*, and the Ἔμπορ: it is sufficient, that the former was a Habit which carried an Appearance of Severity, the other was the Habit then in general use, and both of them probably outward Garments. The *Eustathians* affected the former as a Badge of their Sect; therefore the Synod justly condemns them as placing Religion in Garments and Singularities.

72. 13. If any Woman, under Pretence of Austerity, instead of the Habit belonging to her Sex, take that which is proper to the Men, let her be Anathema.

Many Pious Women, to avoid the Solicitations of Men, have done that which is forbid in this Canon; but when the doing this was made the

Mark of a Sect, the Synod thought fit to condemn the Practice.

73. 14. If any Woman abominating Marriage desert her Husband, and will become a Recluse, let her be Anathema.

74. 15. If any one under Pretence of Religion, abandon his own Children, and do not piously educate them, let him be Anathema.

75. 16. If any, under Pretence of Religion, do not give Honour to their Parents, especially if they be Communicants, let him be Anathema.

76. 17. If any Woman, under Pretence of Godliness, shave her Hair, as if she would annul the Decree of Subjection, let her be Anathema.

See 1 *Corinth.* Chap. 11.

77. 18. If any one, under Pretence of Austerity, do fast on the Lord's Day, let him be Anathema.

See *Can. Ap.* 45. 56.
53. 64.

78. 19. If any of those who pretend to Austerity, do contemptuously set aside the Fasts of the Church, which are receiv'd by Tradition, without some Bodily Necessity, let him be Anathema.

79. * 20. If any one do insolently condemn the Assemblies [held in Honour] of the Martyrs, and the Liturgies there perform'd, and the Commemorations of them, let him be Anathema. The

The Epilogue (of which some make a Canon, and after this Account make 21 Canons in all) does so shew the admirable Temper, and good Sense of these Fathers, that I know not how to omit it.

We commit these Canons to Writing, not as if we would * cut off those who exercise themselves in Works of Severity and Mortification in the Church of God, according to the Scriptures; but those, who under pretence of such Exercise, do insult those who live in a more plain and simple manner, and would bring in Innovations contrary to the Scriptures and the Canons of the Church. We therefore admire Virginity, if attended with Humility, and have a regard for Continence, if accompanied with true Piety and Gravity; and a Retreat from Worldly Business, with a modest, humble Temper; but at the same time we honour honest Marriage; nor do we despise Riches, when employ'd in good Work and doing Justice. We commend a plain and coarse Habit without Art, or Gaudiness, and have an Aversion to all luxurious Ostentation of Apparel. We honour the Houses of God, and affectionately embrace the Assemblies made therein, as holy and beneficial, not as if we confined Religion within those Houses, but as having a respect to every Place that is built to the name of the Lord, and approve of the Church-Assemblies, as being for the publick Good; and pronounce a Beatitude upon signal Acts of Charity done to our Brethren, as being done to the Poor of the Church, according to Tradition; and to say all in a Word, we cannot but wish that all things may be done in the Church, according to the Traditions of Holy Scriptures and the Apostles.

* From hence it does appear, that the Fathers meant no more by *Anathematizing* the *Eustathians*, than *cutting them off* from the Church, or Excommunicating them.

Antiochian Canons.

THESE Canons were made in a Synod of 90 Biſhops or more, held at *Antioch*, A. D. 341. upon occaſion of Dedicating a Great Church, built there by *Conſtantius* the Emperor. Many of theſe Biſhops were *Arians*; but very moderate in their way, or elſe over-power'd by a great Majority of Orthodox, as appears by the Honourable Mention they make of the *Synod* of *Nice* in the firſt Canon. No leſs Men than *Athanaſius* and *Chryſoſtom* have objected againſt theſe Canons on the Account of ſome *Arians* being preſent when they were made: and yet 'tis certain, that no Canons have been more approv'd by the Generality of Wiſe and Learned Men in all Ages. *Du Pin* ſays, that *they contain the wiſeſt and juſteſt Rules that ever were obſerved in the Chriſtian Church.*

80. 1. Let them be Excommunicated, who being Lay-men, dare ſet aſide the Decree of the Great and Holy Synod of *Nice*, concerning the Holy and Salutary Feaſt of *Eaſter*, if they obſtinately perſiſt: If any of thoſe who preſide in the Church, a Biſhop, Prieſt, or Deacon do ſo, let him, and all that Communicate with him, be deprived of their Liturgy, and of all that

that Honour which uſes to be paid them, when they are out of the Church.

See *Can. Ap.* 5. 8.

2. Let all thoſe be caſt out of the Church, * who come in and hear the Scripture, but do not partake of the Prayers and Eucharift, till by Confeſſion and Repentance they have obtained Pardon †: and 'tis unlawful to Communicate with Excommunicated Perſons, or to pray with them in private Houſes; and ‖ that none ſhall be received in another Church, that are not permitted to come to their own. If any Biſhop, Prieſt, or Deacon, or other who belongs to the Canon, Communicate with one Excommunicated, he alſo ſhall be Excommunicated, as confounding the Canon of the Church. 81.

* See *Can. Ap.* 7. 10. † *Can. Ap.* 8. 11. ‖ *Can. Ap.* 10. 13.

3. If any Prieſt, Deacon, or Clergyman, ſtay a long time in a ſtrange Pariſh, let him not be allowed to perform the Liturgy; eſpecially if he diſobey his Biſhop when he calls him home; and if he perſiſt, let him be finally deprived of his Liturgy; and if another Biſhop receive ſuch a one, let him be under the Correction of the Synod. 82.

See *Can. Ap.* 12. 15, 16.

4. If

83. 4. If any Biſhop being Depoſed by a Synod, or any Prieſt or Deacon Depoſed by his Biſhop, do perfom any part of his Liturgy, he ſhall never have any hopes of reſtitution, or of having his cauſe heard in another Synod: All that dare Communicate with ſuch a one are Excommunicated, eſpecially if they had heard of the Sentence paſt againſt him.

See *Can. Ap.* 21. 29.

A Biſhop or Clergy-man Depoſed could never be reſtored, *See* Can. Baſ. 3. But he who newly had Sentence of Depoſition paſt by an inferior Judge, ſuſpends the Sentence by Appealing to a Superior; but yet ſo that, *pendente lite*, the cenſur'd Clergy-man was not to Officiate.

84. 5. If any Prieſt or Deacon, deſpiſing his Biſhop, ſeparate from the Church, and hold a private Aſſembly, and fix an Altar, and diſobey the firſt and ſecond Warning of his Biſhop, let him be finally Depoſed, and not again admitted to his Dignity; and if he perſiſt in his Sedition, let application be made to the external Power, [*i. e.* the Civil Magiſtrate.]

See *Can. Apoſt.* 24. 32.

N. B. *Theſe Two laſt Canons are cited by the Name of the* 83*d and* 84*th Canon, by the Council of* Chalcedon, *as Learned Men juſtly obſerve; not that they were the* 83*d and* 84*th Canon of this or any other Church, but in* the Code of the Univerſal Church, *which was there produced and read out of a Book call'd in the Acts of that Church,* the Sacred Canons

Canons of the Fathers; *and in other places* Ἀκολουθία Κανόνων, the Train of Canons.

6. If any one be Excommunicated by his own Bishop, let him not be received by any but his own Bishop, till he prevail upon a Synod to reverse the Sentence; and the same Law shall take place against all that are in the Clergy. 85.

See *Can. Apost.* 10. 25. 13. 33.

7. Let no Foreigner be receiv'd without pacifick Letters. 86.

Canonical, *Commendatory*, *Dimissory* and *Pacifick Letters*, are oftentimes used promiscuously, and signify much the same thing. See *Can. Ap.* 26. 34. But sometimes they are used with Distinction, *viz. Pacifick Letters* were those given to any, whether Bishop, Clergy-man, or Lay-man, on any occasion he had to travel to another City; especially if he went to Settle there, in which case they were also call'd *Dimissory*. *Commendatory*, were those given either to Clergy-man or Lay-man, who had been tried or condemned for any Crime, but were either found innocent, or had done their Penance, and been absolved; or to any that went where they were not known. See *Can. Chalc.* 11. 13.

*8. Let not Country Priests give Canonical Letters, or however only to neighbouring Bishops; but let Village Bishops, who are of good reputation, give *Pacifick Letters*. 87.

See *Notes* on the preceeding *Canon.*

9. It

88. 9. It behoves the Biſhops in every Province to own him that preſides in the Metropolis; becauſe the Metropolis is a Place of univerſal Concourſe: Therefore it is Decreed, that he have ſpecial Honour paid him, and that the other Biſhops do nothing extraordinary without him; * *according to the Ancient Canon which was in force* [*in the Age of*] *our Fathers.* Let every Biſhop have Power over his own † *Pariſh*, and the adjacent Country, to Ordain Prieſts and Deacons, and Determine every thing with Judgment; but let him do nothing elſe without the Biſhop of the Metropolis, nor he without Conſent of the reſt.

* They can mean no other Canon, but *Can. Ap.* 27 35. no other Canon but that to this purpoſe can be found, which can be ſaid to have been in force in the time of *their Fathers*: For it is obſervable, that ſeveral of the Biſhops who were in the Council of *Nice*, were actually preſent at making theſe Canons; therefore this Canon muſt have been taken from the Apoſtolical, not the Apoſtolical from this, as ſome vainly imagine.
† See *Not.* in *Can. Ap.* 11.

14.

89. 10. The Synod Decrees, that though Village Biſhops have receiv'd Epiſcopal Ordination, yet that they keep within their Bounds and adminiſter the Affairs of the Churches ſubject to them, and appoint Readers, and Sub-deacons and Exorciſts; and

and do not dare to Ordain a Priest or Deacon without the Bishop of the City to which he himself and his District is subject, upon pain of Deposition. A Village Bishop is made by the Bishop of the City to which he is subject.

One would think by the last Words of this Canon that a Village-Bishop was to be Ordained by one Bishop only, *viz.* the Bishop of the City to which he belong'd; whereas all Bishops, properly so called, were to be Ordained by Three others, or Two at the least; and the *Greek* Words at the beginning of the Canon, which I have Translated *Episcopal Ordination*, may be turn'd literally the *Imposition of a Bishop's Hands*, if we read according to the common Edition: But Bishop *Beverege* observes, that instead of ἐπισκόπου, most Manuscripts have it ἐπισκοπῶν; and *Justellus*'s Edition follows those Manuscripts: And indeed, if you read according to the common Editions, yet the Sense will be the same; for ἐπισκόπου χειροθεσίαν λαβεῖν, signifies *to be Ordained Bishop*, in the 17th Canon of this same Council. And it is most probable, that they were Ordained as other Bishops, *viz.* by Two at the least: For what could the *Antiochian* Fathers mean to mention it as a Privilege, that *Village-Bishops were Ordained by a Bishop?* were not Priests, and even Deacons Ordain'd so too? therefore when it is said, that a *Village-Bishop is made by the City Bishop*, the meaning must be, that he was Nominated or Chosen by him.

From this Canon Mr. *Calamy* in his *Defence*, *Part* 1. *pag.* 101. would prove, that *it was usual in fore-going Times for Presbyters in the several Cities, and for the Ministers of Country Towns or Villages to confer Orders*; and this he do's on Suppo-

Suppoſition, that *theſe Village-Biſhops were eſteem'd no more than Presbyters*, which is what can never be granted, and may effectually be diſproved not only from this and other Canons, but from the very Title they had, *viz. Village-Biſhops*; for it can never be prov'd, that any one had the Title of a Biſhop given him by any Canon without the Power of Ordination; and 'tis not denied, that the Village-Biſhop had this Power; he is only forbid to exerciſe it.

90. 11. If any Biſhop, Prieſt, or Perſon that belongs to *the Canon*, go to the Emperor without the Conſent and Letters of the Biſhops of the Province, and eſpecially of the Metropolitan, he ſhall not only be deprived of Communion, but of his Dignity.

Here it is to be remembred that there was a double Excommunication. See *Can. Nic.* 16. In this place we are to underſtand, that which was peculiar to the Clergy; namely, to be diſabled from Conſecrating or Adminiſtring the Communion. That this is meant here is plain; for 'twas ſome Puniſhment leſs than Depoſition; whereas to be caſt out of Lay-Communion is a much greater Puniſhment than Depoſition: and they could not mean Suſpenſion from the Communion; for it is expreſſed in the Original in the higheſt terms, by ἐκκηρύτ̃εσθαι, ἀποβάλλεσθαι.

91. 12. If any Prieſt or Deacon being Depoſed by his Biſhop, or any Biſhop being Depoſed by the Synod, dare trouble the Emperor, he ſhall be uncapable of Pardon, or having his Cauſe heard again †: For he ought to apply himſelf to a *Great Synod*, and

and to submit to their Examination and Judgment.

See *Constantinopolitan* 6th.

By this Canon it seems clear, that the Emperor used sometimes to hear Ecclesiastical Causes that came before him, by way of Appeal. This Canon was designed to put a stop to this Practice.

† *Palladius in Vitâ Chrysostomi*, adds, *whether he were Deposed justly or unjustly*; but 'tis plain, as Bishop *Stillingfleet* observes, "that a Canon so worded, could never have passed this or any other Synod. *Orig. Brit.* p. 138, 139.

This Canon was intended against *Athanasius*, who being Deposed by a Synod, was restored to his See by the Authority of the Emperor only; therefore he was by this Synod again deprived of his Bishoprick: For he ought to have been restored by *a Greater Synod* than that which Deposed him. So *John Chrysostom* was afterwards Condemned for re-assuming his Bishoprick at the command of the Emperor, and by the permission of a Synod; because this Synod was less than that by which he stood Condemned: and they who were his Adversaries proceeded by virtue of this Canon. His plea that this Canon was framed by *Arians* did not at all avail him; nor indeed do's it appear to be true. And it is to be observed, that St. *Chrysostom* never objected against this Canon, for being made by a Topical Synod only, not by a General one, as knowing that this would easily be answered, by saying that it had been received into the *Publick Code*; and was therefore as Authoritative as if it had been framed by a General Council.

By

By *Can. Ap.* 30. 38. the Provincial Synod was ultimately to determine all Eccleſiaſtical Controverſies, nor does it appear that there was any Alteration in this Point before this Synod of *Antioch*, which is meant by a Greater Synod. See *Can.* 14.

92. 13. Let no Biſhop go from one Province to another to Ordain Men to *the Dignity of the Liturgy*, tho' he have others with him, except he be invited by the Letters of the Metropolitan, and the Biſhops that are with him, into whoſe Province he goes. All is null that is done by Biſhops coming without Invitation, and they are to be Depos'd by a Holy Synod.

See *Can. Ap.* 28. 36.

By the *Dignity of the Liturgy* we are here to underſtand thoſe Sacred Offices, that are to be perform'd by none but the Biſhop. See *Can.* 17.

93. 14. If any Biſhop, upon an Information againſt him, be tried by the Biſhops of the Province, and they cannot agree in their Sentence, let the Metropolitan call others from ſome Neighbouring Province to determine the Controverſy, together with the Provincial Biſhops.

They cannot agree, that is if there be a Parity of Votes, or but a very ſmall Majority; for two or three Diſſenters were not to be conſidered. See *Can. Nic.* 6.

15. If

15. If any Bishop, upon an Accusation preferr'd against him, be condemned by all the Bishops of the Province *unanimously*, he shall not have his Cause heard over again by others; but the *Unanimous* Sentence of the Provincial Bishops shall stand. 94.

A great stress seems here to be laid on the *Unanimity* of the Provincial Bishops; and this takes away all Appearance of Contradiction between the 12th Canon and this. The 12th Canon allows an Appeal to the condemned Bishop; but in this Canon that Liberty is restrain'd in one Case, *viz.* if the Proceedings of the Synod were Unanimous, and this was a very reasonable Proviso.

* 16. If any Bishop, without a See, throw himself into a Vacant Church, and usurp the Throne without a Full Synod, he shall be ejected, tho' the People whom he usurps have chosen him. That is a Full Synod in which the Metropolitan is present. 95.

'Tis very clear from this Canon that the People had very little share in Electing Bishops in this Age; when they could not so much as take one that was already ordained, but by some Accident was thrown out of his See, without the Approbation of the Synod.

17. If any one being Ordained Bishop, accept not the * *Liturgy*, and Church committed to him, let him be † Excommunicated till he comply, or till a Provincial Synod determine his Case. 96.

See

See *Can. Ap.* 29. 37.

* See *Can.* 13. Notes. † See *Can.* 11. Notes.

These two laſt Canons are obſerved by ſeveral Learned Men to have been quoted in the Canon of *Chalcedon*, under the Title of the 95th and 96th Canon, not of this Synod, but of the Publick Code. See *Can.* 4, 5.

97. 18. If any Biſhop go not to the Pariſh to which he is Ordained, either by reaſon of the Averſion of the People, or for any other Cauſe that ariſes not from himſelf, let him partake of the Honour and Liturgy [of a Biſhop]; ‖ without *diſturbing the Affairs of the Church, and let him ſtand to the Award of a Full Provincial Synod.*

See *Can. Ap.* 27. 39.

‖ That is, by ordaining or officiating in any Church without the Conſent of the Biſhop.

98. 19. Let not a Biſhop be Ordained without a Synod, and the Preſence of the Metropolitan, who is to call all his * *Brethren in the Liturgy* to the Metropolitan by Letter; and if all cannot be preſent, yet a Majority at leaſt muſt give their Conſent by Letter, and then let the Ordination be performed; otherwiſe let all be null: but if ſome contradict, out of an Affectation of Diſpute, let the Majority of Voices prevail.

See *Can. Ap.* 1. *Nic.* 4.

* *i. e.* Fellow-Biſhops.

20. For

20. For the Occasions of the Church, and the Decision of Controversies, it is Decreed, That Synods of Bishops in every Province do meet twice in every Year, one to end the 4th Week of *Pentecost*, the other on the † 15th of *October*, the Metropolitan Summoning the other Bishops; and that Priests, and Deacons, and all who suppose themselves wrong'd, may receive the Award of the Synod. Let not a Synod be holden without the Metropolitan. 99.

See *Can. Ap.* 30. *Nic.* 5. *Chalc.* 19. 38.

† See Bishop *Beverege's Codex Can. Eccl. Prim. Illustratus*, L. 1. c. 4.

Pentecost signifies the whole time between *Easter* and *Whitsuntide*.

21. Let not a Bishop be translated to another Parish, either of his own Accord, or by any Force from the People, or Bishops; but let him remain in the Church to which he was first called, according to a former Decree. 100.

See *Can. Ap.* 11. *Nic.* 15. 14.

22. Let not a Bishop Ordain Priests, or Deacons, in Places not within his Jurisdiction, without Consent of the Bishop of the Place. Let all such Ordination be null, and the Bishop who performs it, be under the Correction of the Synod. 101.

See *Can. Ap.* 28. 36.

23. Let

102. 23. Let not a Biſhop appoint his Succeſſor; but ſuch Proviſions be null: but let the Conſtitution of the Church be obſerved, *viz.* that a Biſhop be made no otherwiſe than in a Synod, and by the Judgment of the Biſhops.

See *Can. Ap.* 68.
76.

103. 24. Let the Goods of the Church be kept, and adminiſtred by the Judgment and Authority of the Biſhop. Let the Biſhops and Deacons be well informed of what belongs to the Church, that if the Biſhop die, what belongs to him be not ſeized, under Pretence that it belongs to the Church, and that the Church receive no Damage.

See *Can. Ap.* 33.
40.

104. 25. Let the Biſhop have Power over all Goods that belong to the Church, and diſtribute them to thoſe who are in want with all Caution, and apply them to the Uſe of himſelf, and his Brethren who ſojourn with him; but if he pervert the Eccleſiaſtical Revenue, and the Rent of the Church-Farms to the enriching of his Family and Kindred, and do not manage them with the Conſent of the Prieſts and Deacons, let him be accountable to the Synod; and if any Detame the Biſhop and Prieſts for Male-Adminiſtration, let them

them be under the Correction of a Synod.

See *Can. Ap.* 34.
41.

The Reader will observe, that in the *Apostolical Canons* there is only Mention of *Goods* belonging to the Church, here of *Rents* and *Farms*, which is a plain Indication that the former Canons were made before the time of *Constantine*, when the Church generally was endowed with no Houses or Lands, but subsisted by the Liberal Offerings of its Votaries; whereas now, after the Empire was come into the Church, the Case was altered, and it was necessary that an Addition should be made to the Old Canons on this Account. From this, and many other Arguments, Bishop *Beverege* proves the Antiquity of the *Apostolical Canons*, from which the main of these of *Antioch* were Transcribed, with some proper Alterations.

Laodicæan Canons.

THESE Canons were made by the Bishops of *Phrygia Pacatiana*, and the neighbouring Provinces met, *A. D.* 367. at *Laodicea*, upon the River *Lycus*, for the reviving of Ecclesiastical Discipline. The Papists would have it, that this Synod was held before that of *Nice*.

1. 'Tis

105. 1. 'Tis fit that they, * *who are lawfully Married a second time, and* † *that had not been guilty of private Co-habitation beforehand*, after having passed ‖ *a short time* in Fasting and Prayer, be allowed the Communion.

See *Can. Ap.* 13.
17.

* *Justellus* observes, that there are three sorts of *Digamy*; 1. Having two Wives at once. 2. Marrying two successively, one after the Death of the other. 3. Marrying a second Wife, after having divorced the former, a thing very common in the Age and Country where this Synod was held: And he is of Opinion, that 'tis the third sort of *Digamists* against whom this Canon was made. Bishop *Beverege* will have this Canon understood of the second sort; for, says he, the Fathers would not have supposed that he who had divorced his Wife could be lawfully Married to another, the former living, in which I dare not be positive.

† So I turn λαθρογαμήσαντες, according to the old *Glossators*.

‖ The time of Penance for such Persons was one Year.

106. 2. Those Offenders are to be brought to Communion, who by constant Prayer, Confession and Repentance are perfectly converted from their Sins, a certain time of Penance being given them, according to the quality of their Offence.

107. * 3. One lately * *enlightened* ought not to be promoted to the Sacerdotal Honour.

See

See *Can. Ap.* 71. *Nic.* 2.
80.

* i. e. *Baptized.*

4. That * they of the Sacerdotal Orders ought not to demand Usury, and [particularly] not that of one half of the Principal. 108.

See *Can. Ap.* 36. *Nic.* 17.
44.

* So I turn ἱερατικὸς.

* 5. That *Elections* ought not to be made in the Presence of the *Hearers.* 109.

I turn χειροτονίας, Elections, *viz.* of Bishops, Priests, *&c.* according to *Balf.* and *Zonaras*, who suppose that the Reason of this Canon was, that the Crimes objected against the Candidates might not be made publick; and therefore by the *Hearers* they seem to understand the whole Congregation; but it may be understood of those called Hearers, *Can. Nic.* 11.

Aristenus understands the Word χειροτονία of the *Consecration-Service*, which he says was not to be heard by the People.

* 6. That Hereticks, while they remain so, ought not to be permitted to enter into the House of God. 110.

7. That they who are converted from being Catechumens, or Communicants among the *Novatians*, *Photinians*, *Quartodecimans*, are not to be receiv'd till they Anathematize all Heresy, especially that in which they have been engaged: and 111.

they who were called Communicants with them, having learn'd the Creeds and received the Crisme, may partake of the Holy Mysteries.

Novatians, See *Can. Nic.* 8. *Photinians*, their Heresy was a Mixture of *Paulianism*, of which see *Can. Nic.* 19. and *Sabellianism*, as Bishop *Stillingfleet on the Trinity* proves, *p.* 54. *Quartodecimans* were they who kept *Easter* on the 14th Day of the First Month, whether it were *Sunday* or not. *Aristenus* adds, that they were *Novatians* in not admitting laps'd Persons to Penance. *Baronius* blots out the *Photinians* here, as supposing, that they being not baptized into the Name of the Three Divine Persons, were not to be received without being first re-baptized; and indeed the Second Council of *Arles* forbids the *Photinians to be received without Baptism*; but yet this can be meant only of some, as appears by the following Words, *viz. Let the* Bonosiaci, *who are under the same Error be receiv'd, with Crisme and Imposition of Hands.* Anointing with Crisme was the Ceremony of receiving such converted Hereticks in the East, Imposition of Hands in the West, and in some Places both. It was a sort of *Confirmation*.

112. 8. They that turn from the Heresy of the * *Phrygians*, are to be Catechumens, and then Baptized, tho' they were reputed Clergy-men, and were of the first rank among them.

* *Montanists*, who believ'd but one Divine Person.

9. They

9. They of the Church must not go to the * *Cœmeteries, or Martyries* of Hereticks to Pray, or be cured; but if they do, must for a while be deprived of the Communion. 113.

See *Can.* 34.

* Places where Noted Men, or Martyrs lay Buried.

* 10. That they of the Church are not to Marry their Children promiscuously to Hereticks. 114.

11. That † *Priestesses*, or Women-Presidents are not to be constituted in the Church. 115.

† Such are mentioned, *Tit.* ii. 3. and have the same Name given them in the *Greek*, viz. πρεσβύτιδες. They are by all Writers I have met with confounded with Deaconesses, by Mistake, as I suppose. In the Decrees of Pope *Gregory*, *apud Justell.* p. 273. Vol. I. The first Decree Anathematizes *him that Marries a Priestess*; the Second, *him that Marries a Deaconess*, which I suppose to be a Demonstration that they were two distinct sorts of Female-Officers. Further, *Priestesses* were, I suppose, abolished by this Canon, tho' not in all places out of hand, yet within a short time: whereas Deaconesses were yet in use at the Council of *Chalcedon*, *Can.* 15. The Apostolical Constitutions, which were probably framed before these Canons of *Laodicæa*, commands the *Widows*, which were most probably the same with these *Priestesses*, *to be subject to the Deaconesses*. L. 3. c. 7. vers. fin. 'Tis probable that these Priestesses, as they sat before other Women in the Congregation; so they

were employ'd in instructing those of their own Sex in private, and preparing them for Baptism; while the Office of the Deaconesses was to guard the Doors at which the Women enter'd, and to place them in their several Seats (and in this particular even the Priestesses were to observe their Order) but especially to attend Women in the *Baptistery*, and undressing and dressing them again.

116. 12. That Bishops be constituted by the Discretion of the Metropolitans, and the Neighbouring Bishops.

117. * 13. That the Multitude be not permitted to chuse them, who are to be Ordained to the Priesthood. *Gr.* ἱερατεῖον.

118. * 14. That the Holy Mysteries be not carried into other Parishes on the Feast of *Easter*, by way of *Eulogies*.

From hence it appears, that a Custom was growing up of sending the Holy Sacrament from one Diocese to another, in token of mutual Communion.

119. * 15. None ought to Sing in the Church but * *Canonical Singers*, that go into the † *Ambon*, and Sing by Book.

* *i. e.* Singers upon the List, or enter'd into the Catalogue of the Clergy, often called the *Canon*.

† *i e.* a Large Desk in the Nave of the Church in which Scriptures were read, and Psalms Sung.

120. * 16. That the Gospels, with the other Scriptures, ought to be read on the Sabbath-Day. Pub-

Pub'lick Assemblies were in this Age held on Sabbath-Days, *i.e. Saturdays* as well as *Sundays*: but, says *Zonaras*, of old they proceeded from Prayer to the Sacrifice on the Sabbath-Day. This Canon orders that the Gospel be read before the Sacrifice on *Saturday*, as it uses to be on *Sunday*; Of the difference of these two Days, See *Can.* 29. and 49.

* 17. That the *Psalms* must not be Sung one immediately after another, but a Lesson be read after every Psalm. 121.

* 18. That the same Liturgy of Prayers be used both at *Nones* and *Vespers*. 122.

By the *Liturgy of Prayers* we can reasonably understand nothing but the Publick Forms then in Use. *Nones* was what we call three a Clock in the Afternoon; and Monks by their old Constitution were not to eat till they had said those Prayers, which were intended for that hour; but they afterwards eluded this by saying those Prayers at Mid-day, from hence our present *Noon*, for the time of Dinner. *Vespers* were the Devotions used at six a Clock in the Evening, or after. Of old they Prayed in publick but at one of these times, now there was a new Custom of Praying at both; and that no room might be left for Men to use their own Conceptions in the Service of God, 'tis order'd, that they who said Prayers at both Hours, should use the same Forms.

19. That after the Bishop's Sermon the Prayers be solemnly made over the Catechumens; and when they are gone, over the Penitents; and when they have been 123.

under the [Biſhop's] Hand, and are retired, then that the three Prayers be made over the Communicants; that the firſt be done with * *Silence*, the ſecond and third † *by way of Reſponſe:* That after the Prieſts have given Peace to the Biſhop, that then the Lay-men give Peace; and that then the Holy Oblation be ſolemnly made, thoſe only of the Clergy Communicating in the Chancel.

* *i. e.* The People not making their Reſponſes.
† Or with Acclamation, *Gr.* διὰ προσφωνήσεως.

124. 20. That a Deacon ought not to ſit down in Preſence of a Prieſt, till he bids him; and that the Deacon have the ſame reſpect from the ‖ *Miniſter*, and all the Clerks.

‖ i. e. *Sub-Deacons.* Gr. ὑπηρέτης, in *Lat.* always faithfully render'd Miniſter, *i. e.* Attendant. See the 2 next Canons.

125. * 21. That Miniſters have no Place in the Deacon's Apartment, nor touch the Sacred Veſſels.

126. * 22. That the Miniſter ought not to wear an *Orarium*, nor to leave the Doors.

The *Orarium* was a ſort of *Scarf*; *Du Pin* calls it a *Stole*, which the Biſhop and Prieſt might have on each Shoulder, the Deacon on the left only, the Miniſter, or Sub-Deacon on neither. The Uſe the Deacon had for it, beſide that of the Diſtinction of his Order, was to give Notice to the People and Clerks what they were

were to do or say, by the several wefts or motions that he made with it: and 'tis very probable that the Word is of *Latin* Original, and comes from *Orare, to pray*; because by this the Deacon gave Signals to the People, when they were to make their *Responses*, and perform their parts in the publick Devotion. Others will bring it from *Os, oris, the Mouth*, supposing that it was at first used as a *Handkerchief* only. The *Greeks* would fetch it from Ὁράω, *to observe*.

23. That Readers and Singers ought not to wear the *Orarium*. 127.

24. That none of the Priestly Order, nor Deacons, nor any of the Ecclesiastical Order, Ministers, Readers, Singers, Exorcists, Ostiaries, or of the rank of Ascetick*s*, go into a publick House. 128.

See *Can. Ap.* 46. 54.

*Ascetick*s were they who professed a more severe and mortified way of Life. *Origen*, *Clement*, *Alexander*, &c. make mention of such, and we meet with them frequently in the *Apostolical Constitutions*, which were written, as *Cotelerius* observes, before the Monastick Life was in use. See his *Note* on *Apost. Const.* L. 8. c. 15.

* 25. That a † Minister ought not to give the Bread, or *bless the Cup*. 129.

† See *Can.* 20, 21, 22.

It seems evident that to *bless* signifies no more in this place, than to give or *distribute*. There is no Variation in the Copies, so far as I can find.

130. * 26. That none must perform the Office of Exorcist, either in the Church or private Houses, but they who are promoted to that Office by the Bishop.

131. 27. That neither † *those of the Priesthood, nor the Clergy*, nor of the Laity, ought, when they are invited to Love-Feasts, to carry away their Shares.

† Ἱερατικοὶ, *Bishops* and *Priests*, and (perhaps) *Deacons*; Κληρικοὶ, *Sub-deacons*, *Readers*, &c.

132. 28. That Love-Feasts must not be held in Churches, nor Beds [for Guests to lie down upon] be made in the House of God.

The Learned Reader need not be told, that the Ancients, especially the Easterns, did not sit at Meat; but lay down, or recumbed on Beds. There are here Two Words signifying *Churches*, κυριακὸν, and ἐκκλησίαι. By comparing these Two Canons together, it is evident, that Love-Feasts are not forbidden; but they were only remov'd out of Consecrated Places.

133. * 29. That Christians must not Judaize, and rest on the Sabbath-day; but Work on that very Day; and give the preference to the Lord's-day, by resting as Christians, if they can: But if they are found to Judaize, let them be Anathema from Christ.

See the difference between the Sabbath-day (or *Saturday*) and the Lord's-day; which some amongst us are taught by *Dissenters* to confound. *If they can*, i. e. if they be not Slaves to Heathen Masters, and so be forced to work.

30. That

30. That neither *those of the Priesthood, nor of the Clergy*, nor an Ascetick, nor Lay-man, shall wash in the Bath together with Women. 134.

Ἱερατικοὶ, those of the Priesthood; κληρικοὶ, those of the Clergy. See *Can.* 27. 36.

31. That Marriages ought not to be made with every Heretick, unless upon a promise of becoming Christians. 135.

32. That the *Eulogies* of Hereticks ought not to be received. 136.

Eulogies, that is, Bread and Wine offered on the Altar, but not Consecrated; which the Ancient Christians used to send from one Church and Diocese to another, in token of Friendship and Communion. Afterwards some proceeded so far, as even to send the Consecrated Elements. See *Can.* 14.

* 33. That one ought not to Pray with a Schismatick, or Heretick. 137.

See *Can. Ap.* 37.
45.

34. That Men ought not to leave the Martyrs of Christ, and go to Heretical Martyrs: Let them who do be Anathema. 138.

The 9th Canon is to be understood of those who went to Heretical *Cœmeteries*, at the Entreaty of others, for the recovery of their Health: This of those who went of choice, as being themselves Hereticks in their Hearts, or however greatly inclined to be so: Or else we must say, that these Canons were not made all

at a time, but by ſeveral Synods; and that the latter Synod finding the evil to grow, provided a greater Puniſhment than the other had.

139. 35. That Chriſtians muſt not leave the Church to go and * *invocate* Angels: If there be any that are found to ſpend their time in this ſecret Idolatry, let them be Anathema.

* Gr. *Name*, ſo to *name* God, or Chriſt, ſignifies to *invoke* them. *Iſ.* xxvi. 13. 2 *Tim.* ii. 19. The *Laodicæans* were reproved by Chriſt for their *luke-warmneſs* in Chriſtianity, *Rev.* iii. 15. their Worſhipping Angels, and by conſequence not adhering to Chriſt as the one perfect Mediator, was an Inſtance of this. This was an Error handed down to them from their Anceſtors in the Apoſtle's days; their Neighbours at *Coloſſ.* were warn'd of it by St. *Paul*, in his Epiſtle to them, *Ch.* ii. *ver.* 18. and it was probably for this reaſon that that Epiſtle was to be read to the *Laodicæans*, *Ch.* iii. 16. *viz.* that this Error had taken deep root amongſt them.

140. 36. That they of the Prieſthood and Clergy muſt not be Magicians, Enchanters, † *Mathematicians*, or Aſtrologers; or make Charms: and that they who wear Charms be caſt out of the Church.

† The Ancients, both Chriſtians and Heathens, by *Mathematicians* meant *Conjurers*; and under this Name they were forbidden by ſeveral Imperial Laws.

141. * 37. That Doles, or Preſents of Meat, ought not to be accepted, if ſent from the Jewiſh

Jewish Feasts; and that Men ought not to Feast with them.

* 38. That Christians ought not to accept unleavened Bread from the Jews; nor to partake of their Impiety. 142.

See *Can. Ap.* 62. 70.

* 39. That Christians ought not to Feast with Heathens, or to partake of their Atheism. 143.

40. That Bishops being called to a Synod, to teach and learn, and refusing to come, do † *condemn themselves*, except in case of Bodily Infirmity. 144.

† They seem conscious to themselves of some Crime, and therefore decline the Church Judicature.

* 41. That a Clergy-man ought not to Travel without his Bishop's leave. 145.

42. Nor without Canonical Letters. 146.

See *Can. Ap.* 26. *Antioch.* 7. 34.

* 43. That the † *Minister* must not leave the Door, and take even a short time for Prayer. 147.

† *i. e.* The Sub-deacon, See *Can.* 21, 22, *&c.* But since there were *Ostiaries* in this Church, See *Can.* 24. How comes it that Sub-deacons here are represented as Door keepers? *Answer*, Probably the *Ostiaries* kept the outward Doors and Gates of the Church; the Sub-deacons kept the Doors of the Chancel; See *Can.* 44. or else it must be said

ſaid, that by *Miniſter*, here is meant the *Oſtiary*.

No Man ought to prefer his own particular Devotion to the Publick Office he has in the Church, ſay the old Scholiaſts.

148. * 44. That no Woman enter into the Chancel.

See *Can. Trull.* 69.

The 19th Canon of this Council forbids any but the Clergy, to go into the Chancel to Communicate; this forbids Women to go into it at any time; the reaſon thereof probably was, that the Chancel was the place ſet a-part for the Biſhops and Prieſts; and if the Women had been allow'd to go into their Apartment, it might have given occaſion of ſuſpicion and reproach to cenſorious Men.

149. * 45. That after the Second Week in *Lent* none ought to be received, in order to be † *enlightned*.

† *i. e.* Baptized. The proper time of Adminiſtring that Sacrament was *Eaſter-Eve*: they that deſired to receive it were to apply themſelves to the Biſhop at the beginning of *Lent*; and they who did not thus apply themſelves the Second Week in *Lent*, at fartheſt, are forbid by this Canon to be admitted to Baptiſm on the following *Eaſter-Eve*.

150. * 46. That they who are to be Enlighten'd, ought perfectly to learn the † *Creed*, and rehearſe it to the Biſhop or Prieſts on *Maundy-Thurſday*.

* 47

* 47. That they who have received Baptiſm while they were Sick, and afterwards recover, muſt learn † *the Creed*; and be made ſenſible, that they have been vouchſafed the Divine Grace. 151.

† So I turn πίστιν, and can ſee no reaſon to doubt that this is the true ſignification of it in both theſe Canons.

* 48. That they who are Baptiz'd muſt be Anointed with the Super-cœleſtial Criſm, and be made partakers of the Kingdom of God. 152.

The uſe of Oil in Confirmation is very ancient; 'tis of this the Canon is to be underſtood.

* 49. That Bread ought not to be offered during *Lent*, ſave on the *Sabbath-day* and *Lord's-day*. 153.

Lent was a Feaſt, the *Euchariſt* a Feaſt; therefore no Conſecration of the Holy Elements was allowed in that Solemn time, except on the *Sabbath* and *Sunday*, which were ſtated Feaſts in the Church of this Age. Hence came the *Miſſa præſanctificatorum* in the *Greek* Church, at which both Prieſt and People receive the Bread Conſecrated the *Lord's-day* before. 'Tis plain, that the Church of *Rome* was not always ſo tenacious of the *Saturday* Faſt, as they have been in latter Ages: If they had, this Canon could never have been receiv'd into their Code, as it moſt certainly was.

50. That Faſt muſt not be broken on *Maundy-Thurſday*; but the whole *Lent* muſt be Faſted, by eating only dry Meats. 154.

The

The Ancients in *Lent* eat only Bread and Salt, drank only Water, and this down even to *Balſamon's* time in the *Greek* Church; and to this Day they are only allowed Pulſe, Dates, Nuts, *&c.* But then *Saturdays* and *Sundays* were always excepted in the Eaſtern Church: And *Sunday* was not look'd upon as a Day of Abſtinence, even in *Lent*, amongſt the *Romaniſts*, till the laſt Age.

355. * 51. † *The Nativities of the Martyrs* ought not to be Celebrated in *Lent*; but a Commemoration of them is to be made on *Sabbath-days* and *Lord's-days*.

† That is, the Day of their Suffering, according to the Primitive Language.

356. * 52. That Weddings and Birth-days ought not to be Celebrated in *Lent*.

357. 53. That Chriſtians ought not to † *uſe wanton Dancings* at their Marriages; but to have a modeſt Dinner and Supper.

† So I turn βαλλίζειν, καὶ ὀρχεῖσθαι. I know ſome by the former Verb underſtand, *playing on the Cymbals*: but I can't be of their mind; for Muſick was allowed to the Laity, tho' not to the Clergy. See *Can.* 51. and the Word implies tripudiation, or immodeſt Dancing.

358. * 54. That they of the Prieſthood and Clergy ought not to gaze on fine Shows, at Weddings, or other Feaſts; but before the Muſicians enter, to riſe up and retreat.

359. 55. That they of the Prieſthood and Clergy, or even Laity, ought not to club together for great Eating and Drinking Bouts.

56. That

56. That Priests ought not to enter into the * *Bema* before the Bishop. 160.

* See Not. on *Can. Nic.* 11.

57. That no more Village-Bishops be Ordained, but † *Visiters Itinerant*; that they who are Ordained, and the Priests, do nothing without the Bishop. 161.

† These Visiters were Priests.

58. That Bishops and Priests ought not to make the Oblation in Private Houses. 162.

59. That *Psalms* ‖ *Composed by private Men*, or Un-canonical Books, ought not to be read in the Church: but only the Canonical Books of the Old and New *Testament*. What Books of the Old *Testament* must be read: *Genesis*, *Exodus*, *Leviticus*, *Numbers*, *Deuteronomy*, *Jesus* the Son of *Naue*, *Judges*, *Ruth*, *Esther*, 4 Books of *Kings*, 2 of *Paralipomena*, 2 of *Esdras*, the Book of 150 *Psalms*, *Proverbs*, *Ecclesiastes*, *Canticles*, *Job*, 12 *Prophets*, *Isaiah*, *Jeremiah*, and *Baruck*'s *Lamentations*, and *Epistles*, *Ezekiel*, *Daniel*. Of the New, 4 *Gospels*, *Acts* of the *Apostles*, 7 *Catholick Epistles*, 14 of St. *Paul*. 163.

See *Can. Ap.* 76. 85.

‖ Some by ψαλμοὶ ἰδιωτικοὶ, understand all *Psalms* drawn up by un-inspired Persons. I rather think, that hereby are meant all *Psalms* that are not either divinely Inspired, or Composed by Men of some Eminence in the Church. *Justellus*

ſtellus and Biſhop *Beverege* do both give many Proofs of meer humane Compoſitions Sung in the Primitive Church.

This Canon is in all reſpects agreeable to our preſent Canon of Scripture, excepting that

1. It reckons *Baruck*, and the Epiſtle of *Jeremiah* in the Canon; but let it be obſerved, that tho' they are in ſome Copies, yet not in all; that *Ariſtenus* in his Tranſcript has them not, nor *Caranza*, a flaming Papiſt.

2. It omits the Revelation of St. *John*, as did alſo the *Apoſtolical Canons* (which ſee;) therefore Mr. *Calamy* is miſtaken when (*Part 2d. of his Defence*, p. 249.) he ſays, that the *Canon of* Laodicæa *delivers the Catalogue of the Canonical Books as we do.* And this Canon does no more forbid the Reading of *Wiſdom* and *Eccleſiaſticus*, than of the *Revelation:* Further, this Canon enjoins the Reading of *the Canonical Scripture*, which yet is wholly, or for the moſt part, omitted in the Congregations of Diſſenters of all ſorts, if I am rightly inform'd; and little Reaſon has Mr. *Calamy* to reflect on thoſe of the Church of *England* for reading *Apocryphal* Books in Publick, if he, or his Brethren, read neither *Apocryphal* nor *Canonical.* Upon this Occaſion Mr. *Ollyff* had reminded Mr. *Calamy* of his having Subſcribed the 6th Article of the Church of *England*, in which are theſe Words, *viz. the other Books* (as St. *Jerom* ſaith) *the Church doth read for Example of Life*, &c. ſuppoſing that he, who, as he is obliged by the Act of *Toleration*, had Subſcribed this Clauſe of the Article, could not with any face cenſure this Practice in the Church of *England.* And I really thought, that he who does in earneſt Subſcribe to any Opinion, or Practice of the Church, or of particular Men, did thereby ſhew to the World his Approbation of it. But we

are

are mistaken, it seems, if we judge so in relation to Mr. *Calamy* and his Brethren: for he in the Name of the rest, in the fore-cited Place, tells us, that *they only assert matter of fact*; and that *'tis one thing for the Church to read the Apocryphal Books, and another thing to appoint and approve the reading of them in the Church*; and by this Distinction supposes, that he is fairly rid of this difficulty: So when he was hard pressed by his Adversary for his Censures on the *Damnatory Clauses* in the *Athanasian Creed*, by being reminded, that he himself had Subscribed the 8th *Article of Religion*, one part of which is, that *the Creed of Athanasius ought throughly to be received*: He answers in his modest way, that tho' the *Article intimates that the Creed ought throughly to be received, yet it does not necessarily follow, that it takes in the Appendages*; and *I may throughly receive the Substance of that Creed, and yet abhorr the Damnatory Clauses*: That is, by Subscribing the whole *Creed* I meant only the middle, not both ends; and by Parity of Reason other Men may Subscribe to both ends, and not to the middle. Strange that such Men as these should make Conscience of Subscribing the Liturgy, when upon such Principles they may Subscribe the Mass-Book.

N. B. *The* Greeks *divide this last Canon into two, and so make* 60 *Laodicæan Canons.*

Con-

Conſtantinopolitan Canons.

THESE Canons were made by 150 Biſhops, Aſſembled at the General Council of *Conſtantinople*, A. D. 381, and 382, againſt *Macedonius* the Heretical Biſhop of that City, who denied the Divinity of the Holy Ghoſt. They likewiſe Depoſed *Maximus*, who had been made Biſhop of *Conſtantinople* in *Macedonius's* ſtead, and confirmed *Gregory Nazianzen* in his Room; but *Gregory* obſerving the Heats occaſioned by this means voluntarily abdicated the See, and *Nectarius* Succeeded.

163. 1. The Holy Fathers met together at *Conſtantinople* have determined, that the Creed of the 318 Biſhops Aſſembled at *Nice*, remain firm; and that every Hereſy be Anathematized, eſpecially that of the *Eunomians*, and *Eudoxians*, the *Semi-Arians*, or *Pneumato machi*, thoſe of the *Sabellians*, *Marcellians*, *Photinians*, *Apollinarians*.

Eunomians were the more rigid *Arians*, who aſſerted, that the Son and Holy Ghoſt were in no reſpect like the Father; that the Son was created by the Father, the Holy Ghoſt by the Son.

Eudoxians were of the ſame Opinion with the *Eunomians*, but a Name more rarely uſed, tho' it was derived from *Eudoxius*, Biſhop of *Conſtantinople*; whereas *Eunomius*, who gave them the other

other Name, was only Biſhop of *Cyzicum.*

Semi-Arians denied the Son to be *Conſubſtantial* with the Father, yet own'd that he was of a *like Subſtance*; and that tho' he was a Creature, yet Created not in the ſame manner that other things were.

Pneumato-machi were Orthodox in their Faith, both relating to the Father and Son, but aſſerted, that the Holy Ghoſt was a Creature; and in this laſt Point the *Semi-Arians* and they agreed. *Macedonius* Biſhop of *Conſtantinople* was the Leader of this Hereſy.

Marcellians were they who fo'lowing *Marcellus* Biſhop of *Ancyra*, aſſerted, that at the end of the World *Chriſt's Kingdom ſhould ceaſe*, and the λόγ⊙ return to the Father, and ſubſiſt no more in a diſtinct manner. In oppoſition to them thoſe Words were inſerted into the Creed, *viz. of whoſe Kingdom there ſhall be no end*; and in oppoſition to the *Pneumato-machi* thoſe Words, *I believe in the Holy Ghoſt the Lord and Giver of Life, who with the Father and the Son together*, &c. the foregoing Part of the Creed was compoſed at *Nice*, and confirmed by this Canon.

Sabellians, from their Author *Sabellius*, aſſerted, that there was but one real Divine Subſiſtence; that the three Perſons were but Three Names that conſequently it might be ſaid, that *the Father ſuffered* as well as the Son; hence they were alſo called *Patro-paſſians: Sabellius* learn'd this from *Noetus.*

Photinians, from their Maſter *Photinus*, eſpouſed the ſame Opinions with *Paulus Samoſatenus.* See *Can. Nic.* 19. tho' ſome will have them to have been *Sabellians*, but to have differ'd in this, *viz* that after the Nativity of Chriſt there was a real Difference between Father and Son; and in one Point they differed from *Paulus* too, *viz.* that

that they believ'd the λόγος to have inhabited Christ from the time of his Nativity, whereas *Paulus* taught, that the λόγος did not descend into the Son, till after he had merited it by his Holy Life. See Bishop *Stillingfleet* on the *Trinity*, p. 50.

Apollinarians, from *Apollinarius*, asserted, that Christ brought his humane Nature with him from Heaven; that he had a Soul (which yet they had before denied) but not a Νοῦς; that the Divinity of Christ performed the Office of a Νοῦς to his humane Nature; that the Divinity of the Son suffer'd, and was revived by the Father. 'Tis very clear that they were *Arians*, and only differ'd from them in this particular, that they call'd the pre-existent Person of Christ a *Divine Person*, without believing it to be so.

165. 2. Let not Bishops go out of their *Dioceſe* to Churches out of their Bounds; but let the Bishop of *Alexandria*, according to the Canon, administer the Affairs of *Ægypt*, and the Bishops of the East the Affairs of the East only, with a Salvo to the Ancient Privileges of the Church of *Antioch*, mention'd in the *Nicene* Canons. Let the Bishops of the *Asian* Dioceſe administer the *Asian* Affairs only; and they of *Pontus* the *Pontic*, and they of *Thrace* the *Thracian*: and let not Bishops go out of their Dioceſes to Ordinations, or any Administrations, unleſs they be invited. And the aforesaid Canon concerning Dioceſes being observed, 'tis evident that the Provincial Synod will have the Management of every Province, as was Decreed at *Nice*. The Churches amongst the *Barbarians* must be govern'd

govern'd according to the Customs which prevailed with their Ancestors.

The Occasion of making this Canon was, that *Meletius* an Eastern Bishop, before the time of the Meeting of this Synod, had with some others Ordained *Gregory Nazianzen*, Bishop of *Constantinople*; and some time after this, *Peter* Bishop of *Alexandria* had sent some Bishops out of *Ægypt*, who Ordained *Maximus* the *Cynic*, Bishop of the same See: To prevent such disorderly Practices for the future, which tended to Schism, this Canon was made.

By *Diocese* is here meant that large District consisting of several Provinces, in which the *Patriarch* exercised his jurisdiction. 'Tis a great Question whether *Patriarchates* were in being before the Council of *Nice*; it is certain if they were not, that Council erected none, but only established *the Ancient Customs*: but that *Patriarchates* were raised before this Council is very clear, tho' they had not that Name given them till some time after. Here are but five mention'd, *viz.* *Ægypt* under the *Patriarch* of *Alexandria*, the *Eastern Diocese* under *Antioch*, the *Pontic* under *Cæsarea*, the *Asian* under *Ephesus*, the *Thracian* under *Constantinople*: The rest were *Thessalonica* in *Macedonia*, or the *Eastern Illyricum*, *Sirmium* in the *Western*, *Rome* in the *Roman Præfecture*, *Milan* in the *Italick Diocese*; to which some add *Carthage* in *Africk*, *Lyons* in *France*, *Toledo* in *Spain*, *York* in the *Diocese* of *Britain*, tho' I need not tell my Reader, that in after-Ages there were many more, and that several of these last mentioned had never the express Titles of *Patriarchates* given them; and of some it would be hard to prove, that they had the real Power, which Power commonly consisted, 1. In Ordaining all the Metropolitans

tans within the *Dioceſe*. 2. To call *Dioceſan Synods*, and preſide in them, and there to receive Appeals from *Provincial Synods*, and to enquire into the Adminiſtration of Metropolitans, and their Suffragans. 3. And that from them lay no Appeal. All that I know more of any moment concerning Patriarchs is,

1. That they were not erected all at once, or by any Council or other Authority; but by the Conſent, Uſage and Submiſſion of the Biſhops to thoſe who ſate in the more ample Sees.

2. That *Rome*, *Antioch* and *Alexandria* had before the Council of *Nice*, larger Juriſdiction than that of meer Metropolitans; and that they were ſtill growing and topping upon their Neighbours.

3. That the Power of a Patriarch was not every where and always the ſame; but there were great Variations, Ebbs and Flows of Authority, in the very ſame *Dioceſe* or *Patriarchate*; and not only as to their Authority, but the Bounds of their Diſtricts.

4. That there always were many Churches and Countries that never were under any Patriarchate, as *Cyprus* and *Iberia*.

5. Particularly that *Britain* never belong'd to any Patriarchate; or if it did 'twas to a Domeſtick one, at *York*. The Truth I take to be this, that our Arch-Biſhop or Arch-Biſhops always have ultimately determin'd all Matters here at home (excepting while we were under the Uſurpation of the See of *Rome*) but without ever aſſuming the Title of *Patriarchs*, ſo far as appears. From all this it is evident, that all *Patriarchates* were originally Uſurpations upon the Provincial Conſtitution, and conſeq ently there is no Occaſion to reſtore them where they are gone, much leſs to ſet them up where they never were.

3. That

3. That the Bishop of *Constantinople* have the Prerogative of Honour next after the Bishop of *Rome*: For *Constantinople* is New *Rome*. 166.

4. That † *Maximus the Cynick* neither was nor is a Bishop, nor they who have been Ordained by him; all that has been done to him, or by him, being actually null. 167.

† See *Preface* to this Canon; and further, you are to know, that he was Ordained by some mercenary Bishops brought out of *Ægypt*, not by any of the *Thracian Province*, to which *Constantinople* belong'd; and that he was Ordained in a private House, not in the Church, and that he was an *Apollinarian*.

Dionysius Exig. and *Justellus* his most ancient Copy of the *Code of the Universal Church* do not not mention any more than these 4 Canons, as belonging to this Synod: Further, *Dionys. Exig.* makes the 3d Canon an *Appendix* to the 2d, and so allows but Three Canons to this Council; and further, he makes but One of the 4th and 5th Canon of *Ancyra*, and by this means has reduced the whole Number of the Canons of the Universal Code to 165; and he declares that he Translated so many from the *Greek*, ending with these of *Constantinople*, in his *Preface* to his *Code*; and tells us he added those of *Chalcedon*, *Sardica*, and *Africa*. He had met with some very ancient, if not defective Book. However it is certain that the *Greeks* always received the following Canons; and 'tis generally owned, that they were made in some Council held at *Constantinople*, if not the same Year with the foregoing, yet soon after.

* 5. As

168. * 5. As to what concerns ‖ *the Tome of the Western Bishops*, we receive also those at *Antioch*, who acknowledge the One Deity of Father, Son and Holy Ghost.

‖ By the *Tome*, &c. *Zonar.* and *Balsam.* understand, the Confession of Faith made by the Western Bishops at *Sardica*: *Justellus*, the Confession of Faith sent *A. D.* 378. from the Synod of *Antioch* to *Damasus* Bishop of *Rome*: *Baronius* and *Du Pin*, the Synodical Epistle of *Damasus* to *Paulinus* of *Antioch*: *Valesius* and Dr. *Cave*, an Exposition of the Faith sent from a Synod at *Rome* to one at *Antioch*, to which the Eastern Bishops there Subscribed: Bishop *Beveridge* conjectures that this Canon was made by the Bishops met in Synod the Year after the General Council was held at *Constantinople*; and that the occasion of making the Canon was, that when they were met at *Constantinople*, they received a Letter from *Damasus* of *Rome*, inviting them to a Synod to be held in that City; but Bishop *Beveridge* supposes, that instead of going to this Synod at *Rome*, they wrote a Letter to *Damasus*, and therein enclosed this Canon, shewing that they consented to that Form of Faith which lately passed in a Synod of *Antioch*, and if they had gone to *Rome*, they could have done no more.

169. 6. If any one bring a private or personal Accusation against a Bishop, as having been oppressed or injured by him, no regard shall be had of the Person or Religion of him who brings the Accusation: But if an Ecclesiastical Crime be objected against the Bishop, then the Person of him who brings the Accusation shall be

be consider'd; that so Hereticks and Schismaticks may not accuse Orthodox Bishops; and that they of the Clergy or Laity who stand Condemned, or Deposed, or Excommunicated, may not accuse a Bishop till they are cleared from the Crimes charged upon them: and that likewise they who are themselves accused before-hand, be not allowed to accuse a Bishop or Clergy-man, till they have proved themselves to be innocent. An Information against a Bishop must first be preferr'd before the Provincial Bishops, and if they be not sufficient to rectify Matters, then let it be brought before * *the Great Synod of the Diocese*; and let not the Informers be permitted to produce their Allegations, till they have obliged themselves in Writing to some Penalty equal [to what the Bishop, in case he be Convicted, shall incurr] if it be made appear that the Information against the Bishop was false, and feigned: But if any one dare trouble the Emperor's Ears, or the Temporal Judicatures, or a General Council, neglecting the Bishops of the Diocese, he shall by no means be allowed to give Information, as being one that throws contempt and reproach upon the Canons, and subverts the Ecclesiastical Order.

* See *Can. Ant.* 12.

7. We receive *Arians*, *Macedonians*, *Sabbathians*, and *Novatians*, who call themselves *Puritans*, and *Continents*, and *Quarto-* 170.

decimans, or *Tetradites*, and *Apollinarians*, if from being Hereticks they come over to the Orthodox Faith, and to *the Party of the Saved*, giving in a written Renunciation of their Errors, and Anathematizing every Hereſy, by Sealing them with the *Sacred Unction* on the Forehead, and ſaying *the Seal of the Spirit*. The *Eunomians*, who are Baptized only with one Immerſion; the *Montaniſts*, or *Phrygians* and *Sabbellians*, we receive as we do *Pagans*, *viz.* the firſt Day as Chriſtians, the Second as Catechumens, the third Day we Exorciſe them, by blowing thrice into their Face and Ears, and make them continue a good while in the Church and hear the Scriptures, and afterwards we Baptize them.

Moſt of the Hereſies here mentioned have been already explain'd in the 1ſt Canon of this Council. *Puritans*, ſee *Can. Nic.* 8. The Word *Continents* I borrow from *Du Pin*; the *Greek* Edition calls them ἀριστεροὶ, *Leſt-handed*, becauſe, ſays *Balſam*, they would make no uſe of their *Left Hand*; but then they ſhould rather have been called *Right-handed*. Biſhop *Beveridge*, from *Juſtellus*, would rather read ἀριστοὶ, as if they had thought themſelves the *moſt Excellent*; but 'tis more probable that they ſhould call themſelves *Continents*, (q. χρατησαὶ,) as abhorring Second Marriage.

As to *Quartodecimans*, ſee *Not.* on *Can. Ap.* 5. See alſo the 1ſt *Canon* of *Antioch.* 8.

Montaniſts. See *Can. Laod.* 8.

1. Here let the Judicious Reader obſerve, that the true Orthodox Church of Chriſt is called *the Party of the Saved*, according to the Style

Style of the Holy Pen-men. Thus St. *Luke*, *Act.* ii. *ult.* says, *the Lord added to the Church daily the saved* [*People*], not *to be saved*, as 'tis in the present Translation, contrary to all Rules of *Grammar*: So Christians are called *the saved*, 1 *Cor.* i. 18. *Eph.* ii. 8. *&c.*

2. The *Holy Unction* used upon such converted Hereticks as were already Baptized in the judgment of the Orthodox, was the Rite of *Confirmation.*

3. Bishop *Beveridge* asserts that this Canon never passed any Council, before that in *Trullo*, where you have this whole Canon, Number 95. And this he proves because it is not only wanting in all the *Latin* Translations, but in *Joannes Antiochenus*, and several others; and further, he shews that *Sabbathius* did not turn *Novatian* till after this Synod: so that there could not at that time be any Sect called by his Name.

The *Ephesine Canons*,

MADE in a Synod of about 200 Bishops assembled at *Ephesus*, for the Condemnation of *Nestorius*, Bishop of *Constantinople*, who asserted, that there was not only Two Natures, but Two Persons in Christ *Jesus*; and that the Deity was not *Hypostatically* united to him, but only by way of *Inhabitation*; and that consequently the Blessed Virgin could not properly be Styled Θεοτόκος: But *John* Bishop

of *Antioch*, with ſome others, would not conſent to the Depoſition of *Neſtorius*; but form'd a ſeparate Aſſembly, conſiſting of about 30 Biſhops, who declared *Cyril* of *Alexandria* Preſident of the Orthodox Synod in the Vacancy of the See of *Conſtantinople*; and *Cæleſtine* Biſhop of *Rome*, who held with the Orthodox, and had given his Proxy to *Cyril* of *Alexandria*, and *Memnon* Biſhop of *Epheſus*, Hereticks; and therefore Depoſed them ſo far as they were able: Nor did they declare for *Neſtorius* only; but for *Cæleſtius* a rank *Pelagian*.

N. B. That neither *Dionyſius Exiguus*, nor any of the *Latines* have theſe Canons of *Epheſus*. Biſhop *Beveridge* ſhews, that the firſt 6 were taken out of a Circular Epiſtle written by this Synod; but not drawn up in Form, as Canons uſe to be.

171. 1. We notify to * *your Holineſs, and Charity*, that if any Metropolitan making a defection from this Great and General Council, go to the Apoſtatical Synod, or be of *Cæleſtius*'s Opinion, he is depriv'd of all Eccleſiaſtical Communion, and cannot Exerciſe his Office, ſo as to Act againſt the Biſhops of his Province; but ſhall be liable to be Depoſed by them, and the neighbouring Metropolitans.

* *i. e.* To the Biſhop to whom this Letter was ſent.

'Tis plain that this Canon was chiefly intended against *John* Bishop of *Antioch*; for they that afterwards were called *Patriarchs*, were first called *Metropolitans of the Diocese*. He and his Accomplices are *ipso facto* deprived of *Ecclesiastical Communion*, of which, See *Can. Nic.* 16. and likewise made subject to Deposition.

2. If any Provincial Bishops have made a defection to the Apostatical Synod, after they had Subscribed to the Deposition of *Nestorius*, the Holy Synod Decrees, that they be Deposed from their Priesthood and Dignity. 172.

3. We pronounce it just, that they who have been prohibited the Exercise of their Sacred Function by *Nestorius*, for being Orthodox, be restored; and we wholly forbid the Orthodox Clergy to submit to the Apostatizing Bishops. 173.

4. The Holy Synod gives it in Charge, that all Clergy-men who adhere to the Opinions of *Nestorius* and *Cœlestius*, be Deposed. 174.

5. And that all who upon this Account have been Condemned by the Synod, or their own Bishops, do remain Excommunicated or Deposed. 175.

6. And that all who would set aside the Acts of the Holy Synod of *Ephesus*, be Deposed, if Bishops or Clergy-men; Excommunicated, if Laymen. 176.

7. And that they who Publish any Creed, except that of *Nice*, and particularly that which was brought by *Charisius* 177.

the Priest, containing the perverse Sentiments of *Nestorius*; if he be a Bishop or Clergy-man, let them be Deposed; if Laymen, Excommunicated.

378. 8. That the Bishops of *Antioch* make no Ordinations in *Cyprus*; and that the same be observed in other Dioceses; that no Bishop invade a Province that has not of old belonged to his Jurisdiction.

Tho' there can be no just Occasion of doubt but that the Contents of these Two Canons did pass the Synod, yet they are not in the Synodical Epistle. *Photius* omits the Last; *Joannes Antiochenus* the Seventh; and so neither of them reckon above 7 Canons to this Council.

Fustellus tells us of a Copy of the Code of the Universal Church, ending with these Canons of *Constantinople*, in the *Palatine Library* at *Hamburgh*; and which must therefore have been drawn up before the Council of *Chalcedon*, and had the Name of *Stephen* Bishop of *Ephesus*, written on it.

Chalcedon Canons.

Eutyches Priest, and *Archimandrite*, *i. e.* Abbot at *Constantinople*, in the heat of Dispute, and by the violence of a contradicting Spirit, while he opposed *Nestorius*, was so far transported, as to assert that there was but *one Nature* in

in Christ, and that *the humanity was absorbed in the Divinity*, and that his Flesh was not *consubstantial*, or of the same Substance with ours: when he persisted in these Errors, a Synod was Assembled against him, [*A. D.* 451.] at *Chalcedon*, at which the Ancients say there were 600 Bishops, tho' there are not so many Subscribers; but 'tis the common Opinion of Learned Men, that Subscriptions are not much to be depended upon. *Eutyches* his Errors were here condemn'd, and 30 Canons compos'd, in the first of which *the Code of the Universal Church* is confirmed.

1. We pronounce it to be fit and just, 179.
that **the Canons of the Holy Fathers made in every Synod* to this present time be in full force.

* By these Words we are to understand only the Canons of those Synods that have been already presented to the Reader, beginning with those of *Nice*, and which compos'd that Book of Canons so often cited in this Synod, as is agreed on all hands. As it is very Evident, that these Canons were the Laws by which the Church was governed before; so here they are most solemnly recognized and re-enforced by the greatest Authority of the Church of Christ, *i. e. by the Voice of a General, Orthodox, and very numerous Council of Bishops.* The Emperor *Justinian* did afterwards give them a Civil Sanction in these Words: **We do Enact, That the Holy Ecclesiastical Canons made or confirm'd by the four Holy Synods have the force of Laws.** *Justinian Novel.* 131. c. 1. By the Canons *confirmed*

by General Councils can be meant only those Canons of the five Topical Synods, *viz. Ancyra, Gangra, Neo Cæsarea, Antioch,* and *Laodicæa,* before recited. Those of *Arles, Carthage, Eliberis,* and even *Sardica,* were not admitted into the Code, and probably some of them never heard of by these Holy Fathers; and 'tis observable that not one of the Canons here ratify'd was made in the *Latin* Church, or drawn up in that Tongue.

180. 2. If any Ordain, or promote any * *Officer*, or any one that does any way belong to the Canon, for Money or filthy Lucre, let him be Deposed; and let them who are so ordained, or promoted, and the Transactors, if they be Clergy-men, be Deposed; if Lay-men or Monks, Excommunicated.

See *Can. Ap.* 22.

30.

There are here three *Greek* Names of Officers in the Church, for which it will be hard to find good *English* ones, *viz.* Οἰκονόμος, Ἔκδικος, Πανδοχεύς. The first was to take care of the Estate and Buildings; the second was one whom the Bishop made use of in exercising Church-Discipline; the third in regulating the Provision for the Poor, the Strangers, *&c.*

Here let it be observed, that some are supposed to belong to the Canon *who yet were not Ordained.* See *Can.* 23, 25, 26.

181. 3. The Holy and Great Synod Decrees, That no Bishop, Clergy-man or Monk, do take to Farm, any Estate or Office, or involve

involve himself in Secular Cares, except he be unavoidably called by the Law to the Guardianship of Minors; and that the Bishop may take care of the Affairs of the Church, of the Widow and Fatherless, and such as want the Assistance of the Church. If any one transgress, let him be liable to Ecclesiastical Censures.

The Emperor *Marcian* favour'd this Canon with his Royal Presence, and tells the Fathers, *that there were some Articles, which out of honour to their Reverence he had reserv'd [to be treated on by] them, thinking it more decent, that they should be drawn up into Canons by them, than Enacted into a Law by him.* The three Articles were the Subject of this Canon; the 4th and 20th, which Canons are to the same Sense tho' not in the same Words that the Emperor proposed. What he proposed in the first place is the Contents of the 4th Canon: What he mention'd in the 2d Place of the 3d, and what he mention'd last of the 20th.

4. It is Decreed, that no one shall found a Monastery, or Oratory, without the leave of the Bishop of the City; and that Monks be subject to the Bishop, and give themselves to Quietness, Fasting and Prayer, continuing in the Places where they are appointed, without medling in Ecclesiastical or Secular Business, nor leaving their own Monasteries, except the Bishop for some necessary cause permit them so to do. Let no Slave be admitted Monk without his Owner's Consent, upon pain of Excommunication. 182.

183. 5. As concerning Clergy-men or Bishops, that remove from one City to another, 'tis Decreed, that the Canons made by the Holy Fathers be in full Force.

See *Can. Ap.* 11. *Nic.* 15. 14.

184. 6. That no one be admitted to Holy Orders * *at large*, but particularly to the Church of some City, or Village, or † *Martyry*, or Monastery; and that the Ordination of those who are Ordained at large, be null.

* That is, *without a Title*, as we now speak.
† See *Can. Laod.* 9.

185. 7. We forbid Clergy-men or Monks any Place in the Army or Civil List; and they who are guilty, and do not return to their first Choice, are to be Anathematized.

See *Can. Ap.* 4. 72. 74. 7. 81. 83.

Here the Punishment is increased, because, I suppose, this was a growing Evil, now that the Empire was Christian.

186. 8. Let the Clergy-men, who are retained in Hospitals, Monasteries or * *Martyries* be subject to the Bishop of the City: They who dare pervert this Constitution, if Clergy-men let them be under the Correction of the Canons; † *if Lay-men*, Excommunicated.

* See *Can.* 6.

† Lay-

† Lay-men might *subvert this Constitution* by founding Religious Houses, and pretending by *the Charter of Donation* to exempt the Clergy that officiated there from *the Visitation of the Bishop*, as many Princes have done; but none have violated this Canon more than Popes, who seldom refused to exempt any Body of Regular, or even Secular Clergy, from the Jurisdiction of the Ordinary, if Money were not wanting.

9. If one Clergy-man have a Controversy with another, let him first lay it before his own Bishop, or let it be tried by Referees chosen by each Party, with the Consent of the Bishop. Let him that does otherwise be liable to Canonical Censure. If a Clergy-man have a Complaint against his own, or another Bishop, let it be determined by a Provincial Synod: But if a Bishop or Clergy-man have a Dispute with his Metropolitan, let him apply himself to the ‖ *Exarch of the Diocese*, or to the Throne of *Constantinople*. 187.

‖ *i. e.* To the *Patriarch*, See *Can. Constantinop.* 2. There was indeed an *Exarch of a Metropolis*, and he was no more than a *Metropolitan*. See *Can. Sard.* 6. The Word *Exarch* is used by Profane Authors, and signifies a *Prime*, or *Principal Person*. Further let the Reader observe, that here is a greater Privilege given by a General Council to the See of *Constantinople*, than ever was given by any Council, even that of *Sardica* to the Bishop of *Rome*, *viz.* that any Bishop or Clergy man might at the first Instance bring his Cause before the Bishop of *Constantinople*, if the Defendant were a Metropolitan. The *Papists* are

are at a perfect Non-plus, and say any thing to get rid of this Argument; but it *will not* be answered.

188. 10. Let no Clergy-man have his Name in the Catalogue of two Churches at the same time. A Clergy-man being Ordain'd, and having his Name Enrolled in one Church, and afterwards running to a greater, shall be return'd to the Church in which he was first Ordained: If any one have been * *translated* from one Church to another, he shall receive nothing from the first Church, or the Hospitals, or Martyries subject to it. Let the Offender be deprived of his Dignity.

Here the Reader may see what *Plurality* of Benefices or Dignities was unlawful in the Primitive times, *viz.* to belong to two Dioceses at once, as we now speak, or to be under two Bishops. This is a Plurality practised by some who have been very severe on Petty-Pluralists. To be a Member of two Cathedrals at one time is contrary to the Old Constitution, but not to the present.

* That is, removed with the Consent of his former Bishop. See *Can. Ap.* 12. *Nic.* 15, 16. 15, 16.

[189. 11. We Decree that they, who are necessitous, be allowed to travel with *Pacifick Letters* only, and not *Commendatory*; for Letters Commendatory are only for suspected Persons.

See *Can. Ant.* 6.

12. We

12. We Decree that no Bishop dare by a **Pragmatick* to divide one Province into two, upon pain of Deposition; and whatever Cities have by the Letters of the Emperor been made Metropolis's shall enjoy the bare Title, the real Rights being reserved to the true Metropolitan. 190.

* *i. e.* the Charter of the Emperor. A very bold Canon, but necessary to put a stop to the Encroachments of those Bishops, who knowing not how to be subject to a Metropolitan, procured their own Cities to be Erected into Metropolis's. *Eustathius* of *Berytus* had served his Metropolitan of *Tyre* in this manner, in the Reign of *Theodosius*, and had procured the Consent of a Synod for the Confirmation of it: But he of *Tyre* now making Application to the Emperor *Marcian*, was by him wisely remitted to the Council, who gave him Redress by this Canon. The Bishop of *Nice* had made the same Attempt on his Metropolitan of *Nicodemia*; but his Design was by the same means defeated.

13. Foreign, Unknown Clergy-men shall by no means be admitted to officiate at all in any other place, without Letters Commendatory from their own Bishop. 191.

A Clergy-man coming to another strange Church without Letters Commendatory, might justly be suspected. See *Can.* 11.

14. That Readers and Singers, where they are permitted to Marry, do not take Heterodox Wives; and that they who have had Children by such Wives, bring them over 192.

over to the Church, if they have before this been Baptized by Hereticks; if they have not been Baptized, that they do not permit them to be Baptized by Hereticks hereafter; nor Marry them to Heretick, Jew, or Gentile, unless the Person to whom they Marry, promise to come over to the Catholick Church. The Offender is liable to Canonical Censures.

193. 15. Let not a Woman be Ordained Deaconess before she be Forty, and that with strict Examination; and if afterwards she Marry, let both her and her Husband be Anathematized.

See *Can. Laod.* 11. and observe another Difference between the Priestess and Deaconess, *viz.* that the former might not be Ordained before 60, 1 *Tim.* v. 10 This latter was to be Ordained at 40. Such a Deaconess was *Phœbe* at *Cenchreæ*, *Rom.* xvi. 1.

194. 16. That a Virgin that has Dedicated her self to God, or a Monk, may not Marry under pain of Excommunication. But we Decree, That the Bishop have Power of Indulgence in such Cases.

195. 17. That Country * *Parishes* that are in every Province remain to those Bishops, who for thirty Years past have been peaceably possess'd of them: But if any Dispute have been within thirty Years, then the Party aggrieved may make Application to the Provincial Synod; or if any one be wrong'd by his Metropolitan, let his Cause be tried by the Exarch of the Diocese,

Dioceſe, or the Throne of *Conſtantinople*, † as is aforeſaid. If any City be new-built by the Emperor, the ordering of the Pariſhes ſhall be according to the Civil Pattern ‖.

* It ſeems to me that by *Pariſhes* here is meant what we now commonly call by that Name. † See *Can.* 9. ‖ That is, if the New City have a diſtinct Governour for Temporals, then it ſhall have a diſtinct Biſhop; but if the New City be laid to the Governour of ſome former City, then the New City to have only Prieſts under the Government of the Biſhop of the old City.

18. The Crime of *Conſpiracy* is forbid by the Civil Laws, much more ought it to be forbid in the Church; therefore Clergy-men or Monks conſpiring againſt their Biſhop ſhall be depriv'd of their Dignity. 196.

19. We underſtand that many things are not corrected as they ought for want of Provincial Synods; therefore the Holy Synod Decrees, that according to the Canons of the Fathers, Biſhops meet in every Province twice a Year, where the Metropolitan pleaſes; and that the Biſhops who do not meet be reprehended in a brotherly manner, if they have no juſt Excuſe. 197.

The Provincial Synod is here alſo ſuppoſed to conſiſt of Biſhops. *Can. Ap.* 30. *Nic.* 5. *Antioch.* 20. 38.

20. Clergy-men ought not to go to the Church of another City, unleſs they be forced. 198.

forced. If any Bishop receive a Clergyman belonging to another Bishop, both are Excommunicated till the latter return home.

Excommunicated, that is, suspended *ab officio*. See *Can. Nic.* 16. *Eph.* 1. This was the last Particular recommended to them by the Emperor. See *Can.* 3.

199. 21. That Clergy men or Lay-men be not admitted to accuse Bishops or Clergymen, till their own Reputation has been Examin'd.

See *Can. Constantinopolitan.* 6.

200. 22. Clergy-men upon the Death of their Bishop must not seize what belongs to him under pain of losing their Dignity.

See *Can. Ap.* 33. *Antioch.* 24. 40.

201. 23. That Clergy-men and Monks, who without any Authority from the Bishop, and perhaps Excommunicated by him, run to *Constantinople*, and raise Sedition in the Ecclesiastical State, be warn'd by the *Defensor* of the Holy Church of *Constantinople*, to get them gone out of the Imperial City: and if they be obstinate, send them home by Force.

I translate Ἔκδικοι after *Dionysius Exiguus*, and others, *Defensors*. If these were the same with them who were called *Defensores* in the *African* Church, as seems most probable, then they were Officers

Officers Instituted by the Emperor to do Justice for the Poor against the Rich, and to see that the Authority of the Church were not trampled upon; but her Canons and Decrees executed, and all outward Force against the Church removed, Bishop *Beveridge* would have them the same with our *Ecclesiastical Chancellors*; but he does not prove, that they had the power of Excommunication, without which they could be no more than what our *Auditors* were of old; of which See *Part* 1. *Chap.* 26.

See *Can. Afr.* 75.

24. That Monasteries having been once Consecrated, be not applied to Secular Uses: That they who permit it, be lyable to Canonical Censures. 202.

25. That Metropolitans who have put off the Consecration of Bishops, do perform it within three Months, except some invincible Necessity require that the time be lengthen'd; and that the Mesne Profits of the Widow Church be secured by the *Oeconomus*. 203.

Before *Constantine*'s time we read of no such Officer as the *Oeconomus*, but now that Churches were well endow'd (See *Can. Ant.* 25) there was a just Occasion for them. It seems probable that they had been Lay-men hitherto. See *Can.* 2.

26. Whereas some Bishops manage their Estate without an *Oeconomus*; the Holy Synod Decrees, that every Bishop's Church have an *Oeconomus* out of its own Clergy 204.

to

to manage the Eccleſiaſtical Eſtate at the Direction of the Biſhop, that ſo there may be one to bear Teſtimony to the Biſhop's Adminiſtration, and the Prieſthood may be without Reproach. He that does not comply, let him be obnoxious to the Divine Canons.

'Tis very probable that this Canon was the Riſe of thoſe Officers called Arch Deacons. They were firſt Stewards of the Church Eſtate under the Biſhop; and this was a fair ſtep to any further growth in Power or Honour.

205. 27. They who take Women by Force under Pretence of Marriage, and their Accomplices, are to be Depoſed, if Clergymen; Anathematized, if Lay-men.

206. 28. We follow the Decrees of the Fathers, and honour Old *Rome*, as the Imperial City; and we recognize the * *Canon of the* 150 *Biſhops*, moſt beloved of God, which gives the City of *Conſtantinople*, which is New *Rome*, equal Privileges: Rightly judging that the City, which is the Seat of Empire, and of a Senate, and is equal to the old Empreſs *Rome* in other Privileges, ſhould be ſo alſo in Eccleſiaſtical Concerns, as being the ſecond, and next after her; and that the Metropolitans only of the *Pontic*, *Aſian*, and *Thracian* Dioceſes be Ordained by the moſt Holy Throne of *Conſtantinople*; but even † the Biſhops of the ſaid Dioceſes which lie among the *Barbarians*; ‖ *the Metropolitans of the ſaid Dioceſes* ordaining [the other]

other] Bishops subject to them, and *the* ¶ *Arch Bishop of Constantinople* Ordaining the said Metropolitans, after the Elections have been first made according to Custom, and reported to him.

* *i. e.* The third Canon of *Constantinople*. † It should appear that some of the *Dioceses* here mentioned, were supposed to take in Cities and Churches which belonged not to the *Roman* Empire; the *Alani*, says *Balsamon*, belong'd to the *Pontic* Diocese; the *Russi* to the *Thracian*; and all without the Bounds of the Empire were called *Barbarians*. ‖ i. e. *Exarchs* or *Patriarchs*. See *Can.* 9.

Dionysius Exiguus has not inserted this Canon into his *Latin* Code, and the Reason is plain, he was a Courtier at *Rome*: and the *Romanists* could never bear with this Resolution of the Council of *Chalcedon*; because it grounds the Primacy of the Bishop of *Rome*, as well as *Constantinople*, on the Eminency of those two Cities, not on any Divine Right; and equals the latter to the former in all respects, except only bare Precedence in place, the Woman's Point of Honour. The Pope's Legates objected against this Resolution, as appears by the Acts of *Constantinople*, all the other Bishops unanimously concurr'd in it; and tho' *Dionysius* lett it out of his Code, yet it is extant in the more Ancient *Latin* Collection publish'd by *Justellus*, tho' out of its place, and among the *Constantinopolitan* Canons. 'Tis owned that this never was drawn up in form of a Canon by the Fathers of this Council, but pass'd as a Synodical Act or Decree.

¶ See *Can.* 30.

29. 'Tis

207. 29. 'Tis Sacrilege to degrade Biſhops into the Order of Prieſts. If for any juſt Cauſe they are removed from the Epiſcopal Function, they deſerve not the Character of Prieſts: If without Cauſe they are depreſs'd to a lower degree, they ſhall be reſtored to their Dignity.

Euſtathius to finiſh his Uſurpation on part of the Province of *Tyre*, had degraded the ſix Biſhops, whoſe Sees were laid to his Province by the *Imperial Pragmatick*, into the Order of Prieſts; this Canon was made to controll that unprecedented Undertaking; ſo I call it, tho' it ſeems probable, that Prieſts and Deacons were degraded in the Primitive Church into the Inferior Orders. See *Can. Neo-Caſ.* 1, 9, 10.

Here ends the Code of the Univerſal Church.

'Tis true, if we take the Synod of *Trullo* for a General Council, as it really was as much as any other Synod whatſoever, then all the Canons contained in this Volume are Part of that Code: But ſince the Church of *Rome* has now for many Ages diſowned that Council, and does not allow of the Canons there made: and ſince the Canons of *Nice*, with thoſe that follow to this preſent Canon, are moſt commonly ſtyled the *Code of the Univerſal Church*, and were certainly regarded as ſuch for ſeveral hundred Years, I therefore chuſe to ſpeak as others do, and ſo here fix the Bounds of the *Code of the Univerſal Church*.

30. It

30. It ſeems juſt that the moſt pious Biſhops of *Ægypt* defer Subſcribing to the Epiſtle of the moſt Holy *Arch-Biſhop Leo*, till they have a Biſhop Conſecrated for the City of *Alexandria*, without whoſe Conſent (by Cuſtom) they ought not to do it, as they ſay; and in the interim they are to remain in the Royal City, *Conſtantinople*, till an Arch-Biſhop of the Great City of *Alexandria* be Ordained: and they ſhall give Sureties, if poſſible, or an Oath [for their compliance.]

Dioſcorus of *Alexandria* had been Depoſed in this Synod for *Eutychianiſm*, and there had as yet been no Succeſſor appointed him; in the mean time the Biſhops of *Ægypt* are called upon to Subſcribe an Epiſtle written to the Biſhop of *Conſtantinople*, againſt *Eutyches* and his Errors, as the reſt of the Fathers had unanimouſly done. They Anſwer'd, that they were ready to comply, but that *'twas the Cuſtom in their Diocefe, for the Biſhops to do nothing of this Sort, without the Conſent of their Metropolitan.* The Fathers allowed their plea to be reaſonable, yet ſuſpected, that they were of a piece with their late Arch-Biſhop.

Let the Reader obſerve, that the Three greateſt *Prelates* in the Church, they of *Rome*, *Conſtantinople* and *Alexandria*, have the Title of *Arch-Biſhop* given them by this Synod, in the 28th, he of *Conſtantinople*, the other Two in this: tho' by the bye, many will not allow this to be a Canon, no more than the other; nor does *Dion. Exiguus* give theſe 3 laſt Canons any place in his Collection. 'Tis ſufficient for us, that the Synod did actually paſs ſuch a Reſolve

Reſolve, which yet remains upon Record in almoſt ſo many Words, in the Acts of this Council; and the *Greeks* reckon 30 Canons to this Council, whereof this is the laſt.

Having now Concluded *the Code of the Univerſal Church*, I proceed in the next place to thoſe Canons, which, tho' they never belong'd to the Code of the Univerſal Church, yet are allowed to belong to the Separate Codes, both of the Eaſtern and Weſtern Church, which Character belongs only to the *Sardican* and *African* Canons. 'Tis true, *Du Pin* ſays, when he is in a heat againſt the *Sardican* Canons, that *the Eaſt never received them*, forgetting that they are received by the 2d Canon of *Trullo*, to which the Eaſt has and does adhere: Then I ſhall proceed to thoſe Canons which were of old received both by the *Greek* and *Latin* Churches, but now by the former only: And laſt of all to thoſe Papal Decrees, that never were acknowledg'd by any but the Latter.

Sardi-

Sardican Canons.

Athanaſius Biſhop of *Alexandria*, and ſeveral others, being Depoſed by the *Arian* Party which prevailed in the Eaſt, by the countenance that the Emperor *Conſtantius* gave to their Cauſe, take Sanctuary at *Rome*: *Julius* Biſhop of that City, hears their Cauſe in a Synod aſſembled for that purpoſe, and decides in Favour of them, that they ought to be reſtored to their Sees; and writes to the Eaſtern Biſhops requiring them accordingly to reſtore them. When this was refuſed, *Conſtans*, Emperor of the Weſt, eſpouſes their Cauſe, and threatens *Conſtantius* with a War, in caſe he did not oblige the Biſhops to recall their Sentence, and permit *Athanaſius*, and his Aſſociates, to return to their Biſhopricks. Hereupon, by the joint conſent of both Emperors, this Synod is appointed to meet at *Sardica* in *Illyricum*, to give a final Deciſion to this Diſpute. The Eaſtern Biſhops, to the Number of 76, come to *Sardica*; but the great Majority of them being *Arians*, refuſe to Aſſemble with the Weſtern, (who were Orthodox) and go and form an Aſſembly of their own, at *Philippopolis* in *Thrace*: The Weſtern, with *Athanaſius*, and the other Refugees, held a Synod in *Sardica*, [*A. D.* 347.] where they abſolve *Athanaſius*, and

and the other Orthodox Biſhops, from the Sentence of Depoſition; and for their further Security make theſe Canons. 'Tis commonly ſaid, that ſome *Britiſh* Biſhops were at this Council; the chief Evidence for it is a Paſſage in a *Latin* Tranſlation of St. *Athanaſius*'s 2d Apology; but the *Greek*, which is the Original, has no Words implying any ſuch matter. The moſt that can be ſaid, is, that *Britiſh* Biſhops may have been at this Synod for ought appears to the contrary. All allow that the Biſhops of *Gaul* were there; and in the Monuments of thoſe Times *Gaul* ſometimes includes *Britain*. This Canon was intended to be a General one, being called by the Emperors both of the Eaſt and Weſt, and deſigned to conſiſt of Biſhops from both Parts; but in the Event, by the Succeſſion of the Eaſtern Biſhops it came to paſs, that it was really a Weſtern Synod only; and therefore its Canons were never received into the *Code of the Univerſal Church.*

1. If any Biſhop remove from a leſſer City to a greater, thro' an affectation of Power, he is unworthy, even of Lay-Communion.

See *Apoſt. Can.* 11. 14. *Nic.* 15. *Ant.* 21.

2. If any, to palliate this, pretend Letters from the People (ſome of whom are hired to raiſe Sedition in the Church) as if

if they deſired to have him for their Biſhop; let ſuch a one not be received to Lay-Communion, even at the point of Death.

'Tis ſtrange that theſe Fathers ſhould be ſeverer againſt the Tranſlation of Biſhops, tho' procured by Fraud and Simony, than thoſe of *Nice* againſt them who had laps'd into Idolatry, See *Can. Nic.* 13. Perhaps none were ever denied the Communion at point of Death, upon Repentance, but only Tranſlated Biſhops; and whether ever they were denied it, is a Queſtion that I am not able to determine. This Canon ſeems to me to be ſuch a Law as was never like to be Executed; and only ſhews the great reſentment of thoſe who made it, againſt that which probably was then the reigning Vice amongſt the great Prelates of the Church.

* 3. 'Tis neceſſary alſo to add this, that no Biſhop go out of his own Province into another where there are Biſhops, unleſs he be invited by his Brethren in that Province: (that we may not ſeem to ſhut up the doors of Love) this is alſo to be taken care of, that if a Biſhop in any Province have a Diſpute with his Brother, and Fellow-Biſhop, neither of them call Biſhops to hear their Cauſe out of another Province: but if any particular Biſhop think that he hath been Miſ-judged in any Cauſe, and conceive that his Cauſe is good, and that he has no reaſon to be aſham'd on't; in order to his coming to another Tryal, do's your Love think fit to honour

the Memory of *Peter* the Apoſtle? and that *Julius* the Biſhop of *Rome* be writ to, that he may have another Tryal before the Biſhops, that are next Neighbours to that Province, (if it be thought proper) and that he appoint thoſe who are to take cogniſance of the Cauſe: But if he cannot make it appear that his Cauſe is ſuch, as to need a review, let not what has been once determined be revok'd, but remain in full force, as it is.

* 4. If any Biſhop have been Depoſed by the Sentence of his Neighbouring Biſhops, and declare, that he intends to have a review of his Cauſe; let not another be Subſtituted in his See, till the Biſhop of *Rome* have taken cogniſance of it, and given his Deciſion.

Dionyſius Exiguus makes this the 7th Canon.

* 5. If any Biſhop have been delated, and the Biſhops of that Country being Aſſembled together have Depoſed him, and he make his Refuge to the moſt bleſſed Biſhop of *Rome*, as it were by way of Appeal, and he be willing to hear him, and judge it fit to have his Cauſe examin'd again; he ſhall vouchſafe to Write to the Biſhops that are next to that Province, that they make a diligent and accurate Scrutiny, and give Sentence according to the merits of the Cauſe: But if any one do yet deſire to have his Cauſe heard over again, and the Biſhop of *Rome* approve of his requeſt; let him ſend his Prieſts *à Latere*: That it be in the Power of the ſame

ſame Biſhop [*Julius*] (he approving and thinking fit that it ſhould be ſo) to ſend ſuch as may take cogniſance of the Cauſe, together with the Biſhops, they having a Commiſſion from him who ſent them; and this muſt be reſolved upon: But if he be convinced of the Sufficiency of the Biſhops to determine the Cauſe, he ſhall act as ſeems beſt to his Wiſdom. The Biſhops anſwer'd, We approve of what has been ſaid.

I have Tranſlated theſe 3 Canons at large, and almoſt literally, not only becauſe they are of a very odd Texture, and will not eaſily be contracted; but that the Reader may judge the better how far they favour the Cauſe of the *Romaniſts*. 'Tis own'd, that they ſay more to this purpoſe, than any truly Ancient Canon beſide theſe. *Petrus de Marca* grounds the Primacy of the Pope on theſe Canons; but then it muſt be own'd, that it is laid upon a humane Foundation: For if this Council were a General one, as the Papiſts pretend, yet what derives its Authority from thence only, can never, among competent Judges, be thought to be of Divine Right: and there need no clearer Proof, that the Pope is Inferior to a General Council, and that there lies an Appeal from one to the other, than the Proceedings of this Council; for *they took upon them to judge over again a Caſe which had already been judged by the Biſhop of* Rome; *viz.* The Cauſe of *Athanaſius*, and his Brethren, as Biſhop *Stillingfleet* well obſerves. *Orig. Brit.* p. 143. *Du Pin* further makes this Reflection, *that theſe Canons do not give the Pope Power to judge the Cauſe of a Biſhop at his own Tribunal*

at Rome; *but only to inquire, whether it were well or ill determined; and in case he found it was determined wrong, to order a new Decision of it in that Country, and by the Neighbouring Bishops of the Province, where it was determined.* Richerius, a Doctor of the *Sorbonne*, adds, "that they "were only *Provincial Canons*, made for the Se- "curity of the *Eastern* Orthodox Bishops, a- "gainst the *Arians*: Further, says he, "this "Prerogative was not given to the See of *Rome*; "but only to the present Pope, whom they "expressly name, *viz. Julius*; and consequently "that they were designed to be made use of "only in the Case now before them. *Hist. Gen. Concilior.* L. 1. c. 3. where he also proves at large, that this was no General Council. Bishop *Stillingfleet* has another very just Observation on these Canons, *viz.* That the design of them was to transfer the Right (not of Appeals, properly so called;) but of granting a Rehearing from the Emperor (of which See *Can. Ant.* 12, 15.) to the Bishop of *Rome*; and, that *Constantius*'s openly favouring the *Arian* Party was the occasion of it.

I should be scarce just to my Reader, if I should not take this occasion to tell him, that these Canons gave a handle to the See of *Rome*, even in the early Times, to attempt as notorious a Fraud as any to be met with in History. *Apiarius*, an *African* Priest, being Deposed at home by *Urban* Bishop of *Sicca*, for very gross Immoralities, betakes himself to *Zosimus* Bishop of *Rome* [*Anno Dom* 415] and was by him received to Communion; nor only so, but Legates were sent by *Zosimus* into *Africa* to hear *Apiarius*'s Cause over again; pretending that the Bishop of *Rome* had this Privilege granted to him by the *Council of Nice*. The *African* Bishops were occasion-

occaſionally met in Synod at that very juncture, to the Number of 270; and when the Legates had told them the occaſion of their coming, they withal added, that the Biſhop of *Rome* had this Authority given him by the *Nicene Canons*; but inſtead of the *Nicene* cite theſe *Sardican Canons*. The *Africans* anſwer, that they never heard of any ſuch Canons made at the Council of *Nice*; that they found none ſuch in the Copies they had; but that they would ſend into the Eaſt for Authentick Copies of the *Nicene* Canons, and govern themſelves according to them. They did ſend, and were anſwered by the Biſhops of *Conſtantinople* and *Alexandria*, "That the Synod of "*Nice* made but 20 Canons, which were in e-"very one's hands; and that among them, no "ſuch Canons as thoſe cited by the Pope's Le-"gates were to be found. 'Twould be too long to rehearſe all particular Circumſtances; I ſhall only add, that after Six Years (for ſo long was this Buſineſs depending) they write a final Anſwer to *Cæleſtine*, then Pope, *Zoſimus* and his Succeſſor *Boniface* being dead in the interim, in which they tell him, among a great many other things, very much to the purpoſe, that *the Council of* Nice *had determined the direct contrary to what was pretended by the Legates; that Delinquent Clerks were thereby left to their own Biſhops, Biſhops to their Metropolitans; that all ſuch Buſineſſes ſhould be determined in the places where they ariſe; that the Grace of the Holy Spirit would not be wanting in every Province, whereby the Prieſts of Chriſt might wiſely ſee, and conſtantly hold what was right; that they could find no Decree of the Fathers, whereby the Pope was Authorized to ſend Legates* à Latere *to them*, &c. By theſe laſt Words it appears, that either they had never heard of theſe Canons of *Sardica*, tho' paſs'd 68 Years be-

fore; or however, that they did not look on theſe Canons as obligatory to them: for elſe they would not have abſolutely denied his Power of ſending Legates, tho' they might have denied it him in the preſent Caſe. Thus did theſe *African* Biſhops make a great and noble ſtand in oppoſition to the firſt Encroachments of the See of *Rome* on the Church of *Africa*; and diſcovered one of the moſt groſs Impoſtures that ever was intended to be put on ſo Venerable a Body of Men: and this they did with all the Modeſty and Deference that could be paid by one Church to another, without being guilty of implicite Faith, and blind Obedience. For they admitted *Apiarius* to Communion, *pendente lite*, till the Wretch openly confeſſes his own Guilt: They diſtruſted their own Copies of the *Nicene* Council; they would not be Judges in their own Cauſe, but referr'd themſelves to the Original, or Authentick Records of the *Nicene* Council, kept in the Principal Sees of thoſe Countries near to which the Council was held. And to ſay all in a Word, Modeſty at laſt carried the Cauſe, againſt Inſolence and Uſurpation; and Simplicity bore down and triumph'd over *Romiſh* Fraud and Forgery. The Sophiſters of the Church of *Rome* do mightily belabour themſelves to make a Plaſter for this Sore; but 'tis altogether incurable: nor can the wit of Man contrive ſo much as a Veil to cover it. *Richerius*, a profeſs'd Papiſt, but an Enemy to the Court of *Rome*, becauſe a Friend to Truth, where he ſaw it, has detected all that is ſaid by *Baronius* and *Binius*, and all the Advocates of this Cauſe, to be meer fiction and forced ſtuff. It ought not to be forgotten, that the great St. *Auguſtin* of *Hippo*, was One of thoſe brave *Africans*, that diſcovered and oppoſed this fraudulent Attempt of the See of *Rome*. 6. If

6. If one Biſhop in a Province neglect to Meet, and Conſent to the Ordination of a Biſhop deſired by the People, let him be Summon'd by the Letters of the * *Exarch of the Metropolis*; but if he don't come, let the People have their Deſire. Let the Biſhops of the Neighbouring Province be invited to the Ordination of a Metropolitan. † Let not a Biſhop be conſtituted in a ſmall City, for which one Prieſt may ſuffice; but let there be Biſhops in Cities that uſe to have one; and let a Biſhop be allowed to Populous Cities.

Dionyſius Exiguus makes this Canon the 5th.

† This the 6.

* *i. e.* the Metropolitan; for as *the Exarch of the Dioceſe denotes* a Patriarch, ſo the Exarch of the Metropolis, a bare Metropolitan.

7. That no Biſhop ought to go to the Court or Camp, but thoſe whom the Pious Emperor calls by his Letters, only to redreſs the Cauſe of Widows or Orphans, or of thoſe who being baniſh'd for their Crimes flie to the Mercy of the Church.

Dion. Exig. makes this the 8th.

'Twas look'd upon as part of the Biſhops Duty to intercede for the afflicted and miſerable; but many Biſhops, eſpecially the *Africans* (as the Preface of the Canon at large tells us) frequented the Camp, where the Emperor ſpent great part of his time to ſollicit for Preferment for themſelves or Friends.

8. If any Biſhop have Occaſion of making Application in the Camp, let him ſend his ‖ *proper Miniſter*.

This and the following Canon *Dion. Exig.* makes the 9th.

‖ *i. e.* pro-

‖ *i. e.* probably his Chief Deacon, which afterwards grew into what we now call an Arch-Deacon. I know it sometimes signifies a Sub Deacon, *Can. Laod.* 20, 21. but most properly a *Deacon*, and so the *Greeks* here translate the *Latin Minister*, viz. Διάκονον.

9. Upon Petition made to the Metropolitan by his Bishops, he shall send his Minister, and give him Letters Commendatory to the Bishops of the Place, where the Pious Emperor is administring his Affairs; and if a Bishop have Friends in the Imperial Palace, let him send his Minister to procure their Help. * They that go to *Rome* ought to make our Beloved Brother and Fellow-Bishop *Julius* acquainted with their Petitions, that unless they be immodest, he may send them to the Camp with his Authority.

* This that follows *Dion. Exig.* makes the 10th.

Dion. Exig. 13. 10. If a Rich Man, or one Educated in a [Rhetorick] School be thought worthy to be made a Bishop, let him not be Ordained, till he have performed the Ministry of a Reader, Sub-Deacon, Deacon, and Priest, and he shall continue a pretty while in every Order; for no one ought easily, and of a sudden to be Ordained Bishop, Priest or Deacon.

Dion. Exig. 14. 11. If a strange Bishop come, and make a long stay in another Bishop's City, who is one of less Learning, let him not bring him into Contempt by his own frequent Preaching, and raise Disturbance, and so get to himself another Man's Bishoprick: there-

therefore let no Biſhop be abſent from his Church, without Neceſſity, above three Weeks, eſpecially becauſe a Lay-man, who does not Communicate for three *Lord's Days* together is Excommunicated by † the Conſtitution made *by our* ‖ *Brethren* in a former Council.

† This Canon is loſt; for the Canon of *Trullo*, *Number* 80, was made long after this. ‖ The *Greeks* have it *Our Fathers*.

12. Biſhops, that have great Eſtates (whereby they may be helpful to the Poor) in other Pariſhes, may remain there three Weeks, when they go to receive their Rents, and hold an Aſſembly, and make the Oblation in ſome Neighbouring Church, where a Prieſt only Officiates, and not frequent a City where there is a Biſhop. *Dionyſius Exiguus* makes this the 15th.

13. The Biſhop, that knowingly receives a Refugee, Prieſt, Deacon or Clerk, Excommunicated by his own Biſhop, ſhall give Account of himſelf to ‖ *the Biſhops Aſſembled in Synod.* *Dion. Exig.* 16.

See *Can. Ap.* 10. 25.
13. 33.

‖ Here again it is fairly intimated, that Ancient Synods conſiſted of Biſhops. See *Can. Nic.* 5.

14. If any Biſhop in a ſudden heat Excommunicate a Prieſt, or Deacon, let recourſe be had to * *the Metropolitan of the Province, or in his Abſence, to ſome Neighbouring* *Dion. Exig.* 17.

bouring Metropolitan, that the Affair may be examined, and the Sentence confirm'd, or revok'd; and let not the Excommunicated Perſon put himſelf into Communion, before ſuch Examination.

* *Dionyſius Exiguus* has it to *the Neighbouring Biſhops.* This Canon was read and approved in the Synod of *Carthage*, *A. D.* 418.

Dionyſius Exiguus 18, 19.

15. If a Biſhop Ordain one a † *Miniſter*, that belongs to another Pariſh, let the Ordination be void, except he have the Conſent of his proper Biſhop.

See *Can. Nic.* 16.

† Gr. ὑπηρέτης, that is, a Sub-Deacon, or any Order below that, ſcarce can it ſignify a Deacon.

Dion. Exig. 20.

16. Let the Canons made againſt Biſhops abſenting themſelves from their Cities, be put in force againſt thoſe Prieſts and Deacons of other Provinces, who come and ſpend their time at *Theſſalonica.*

Dion. Exig. 21.

17. If any Biſhop be ejected for the Catholick Diſcipline and Profeſſion, or for Defence of the Truth, and being Innocent, yet under Execration, go to another City to avoid danger, let him not be forbid to ſtay there, till he find redreſs from the wrong done to him.

This Canon was made in Behalf of *Athanaſius* and his Fellow-Sufferers. See Preface to theſe Canons.

18. 'Tis

18. 'Tis Decreed, That they who were Ordained by *Muſæus* and *Eutychianus*, † *be received*, they being in no fault.

† Whether as Clergy-men, or only as Lay-Communicants is uncertain.

19. They who have been Ordained to the Clergy by our Fellow-Biſhops, but will not now return to their Churches, ſhall not afterwards be admitted: *Eutychianus* and *Muſæus* ſhall not be owned as Biſhops, but received to Lay-Communion, if they deſire it.

The 18th and 19th Canons are not in the *Latin* Editions: As to the Story of *Muſæus* and *Eutychianus* we are all in the dark. They ſeem to have been Depoſed from their Biſhopricks for ſome Crime, and to have Ordained ſome Clergy-men after they had committed the Crime, but before they were Depoſed, or however before their Depoſition came to the Knowledge of the Clergy-men Ordained by them.

20. If any one act contrary to what is Decreed by all, he ſhall be lyable to be called to an Account, and to loſe his Epiſcopal Honour.

21. Every Biſhop dwelling in the Road to Court, ſhall examine every Biſhop that he ſees; and if he find any one invited to Court, let him give him no delay; but if he go for any evil ends, let him not Subſcribe his Letters, nor Communicate with him. *Dionyſius Exiguus.* 11.

The

The Latin Editions have another Canon in the 12th place to this Effect, *That the Bishop living in the Road to Court shall warn the Bishop that is going thither on an unjust Account, lest he offend, through ignorance, and send the Bishop home; and if there be occasion send a Deacon to Court instead of the Bishop.*

African Code.

COuncils were no where more frequently called in the Primitive Times than in *Africa*. In the Year $\frac{415}{419}$. all Canons formerly made in 16 Councils held at *Carthage*, one at *Milevis*, one at *Hippo*, that were approved of, were read, and received a New Sanction from a great Number of Bishops, then met in Synod at *Carthage*. This Collection is *the Code of the African Church*, which was always in greatest repute in all Churches next after *the Code of the Universal Church*. This Code was of very great Authority in the Old *English* Churches, for many of *the Excerptions of* Egbert were transcribed from it. And tho' the Code of the Universal Church ends with the Canons of *Chalcedon*; yet these *African Canons* are inserted into the Ancient Code both of the Eastern and Western Churches. These Canons, tho' ratified and approved by a Synod, yet seem to

to have been divided or numbred by ſome private and unlearned hand, and have probably met with very unskilful Tranſcribers, by which means ſome of them are much confounded and obſcured, as to their Senſe and Coherence. They are by *Dionyſius Exiguus* and others, Entituled, *the Canons of the Synod of Afric:* and tho' all were not originally made at one time, yet they were all confirm'd by one Synod of *African* Biſhops, who after they had recited the Creed, and 20 Canons of the Council of *Nice*, they proceed to make new Canons, and re-enforce old ones, as follows.

1. The Statutes of *Nice*, which were brought by our *Fathers from that Council ſhall be obſerved.

* It is certain, that *Cæcilian* then Biſhop of *Carthage* was preſent at the Council of *Nice*, that any other *African* Biſhop was there does not appear; but probably he was attended with ſeveral Clergy-men, who were afterwards Ordained Biſhops.

2. For the corroborating the Judgment of our lately Ordained Fellow-Biſhops, we with their Conſent confeſs the Unity of Father, Son, and Holy Ghoſt, without any Inequality.

3. That Biſhops, Prieſts, and Deacons be temperate in all things, as the Apoſtles and the Ancients have taught us, that their Prayers may prevail.

4. That

4. That they who handle the Divine Sacraments, and ſerve at the Altar, † abſtain from their Wives.

See Can. 25.

† *i. e.* ſome time before and after the Euchariſt, as the old Scholiaſts underſtand it.

5. That no Clergy-man take Uſury.

See *Can. Ap.* 36. *Nic.* 17. 44.

6. That no Prieſt make the ‖ *Criſm*, nor conſecrate Virgins, nor reconcile Penitents at * *Publick Maſs.*

‖ *Not the Criſm uſed upon Perſons at their Baptiſm*, ſays the Scholion in Biſhop *Beveridge*'s Annotation, *but the Myſtical Criſm*, viz. that uſed at Confirmation.

* *Du Pin* obſerves, that *this is one of the firſt Monuments where the Name of* Maſs *occurs to ſignify the publick Prayers, which the Church made at Offering the Euchariſt.* And let the Reader obſerve, that there is no mention of the Maſs inthe Copies which the *Greeks* made uſe of: and further he reſtrains the meaning of the Word *Maſs* too much, when he ſuppoſes that it denoted the Communion Office only.

7. If any one being in danger [of Death] deſire to be reconciled to the Divine Altars in the Abſence of the Biſhop, let the Prieſt conſult the Biſhop, and by his leave reconcile the Penitent.

See *Can.* 43.

8. That

8. That no Criminous Perſons be allow'd to prefer an Information againſt * *Seniors*, or Biſhops.

See *Can.* 132, 133. & *Can. Conſtantinop. 6.*

* Probably the ſame with *Senes* in other Canons, *viz.* Metropolitans, as is generally believed. The *Latin* here calls them *Majores Natu*, the *Greek* Πατέρας. Biſhop *Beveridge* ſuppoſes that the Word denotes Biſhops.

9. The Biſhop, or Prieſt, who receives to Communion one Excommunicated by his own Biſhop, let him be look'd on as guilty of the Crime for which the other is Excommunicated.

10, 11. If any Prieſt being condemned by his Biſhop make a Separation, and Erect another Altar, and do not complain to the Neighbouring Biſhops, and ſtand to their Award, but make a Schiſm, and a ſeparate Sacrifice, let him be Anathema.

See *Can. Ap.* 24. 32. *Gangr. 6.*

12. If a Biſhop be found guilty of any Crime, he ſhall have a [ſecond] Hearing before 12 Biſhops, if more cannot be had, a Prieſt by 6, a Deacon by 3, according to *the* † *Statutes of Ancient Canons.*

† Hereby muſt be meant *African* Canons; that under *Gratus* [*A. D.* 348.] had Decreed the ſame thing.

Who was the Biſhops Judge at the firſt Inſtance does not appear by this Canon; but 'tis natural

natural to ſuppoſe it was the Primate: That this Canon is to be underſtood of hearing upon an Appeal is evident, becauſe it ſuppoſes the Biſhop to have been *found guilty* before. Further, 'tis certain that a Prieſt's Cauſe at *the firſt Inſtance* was to be tried before the Biſhop, See *Can.* 10, 11. And therefore the latter Part of the Canon can be underſtood of no Hearing but by way of Appeal, nor by Conſequence the former.

13. According to the Statutes of Old, let not any number of Biſhops preſume to Ordain another without the leave of the * *Primate*; three may do it with his leave. If any one deny his own Hand, or contradict what he hath Subſcribed, he ſhall thereby deprive himſelf of his Dignity.

See *Can. Ap.* 1. *Nic.* 1.

* He that was called a Metropolitan in other Churches, was a *Primate* in *Africa*.

14. It ſhall ſuffice, that one Biſhop come ‖ *Legate* from *Tripoli*; five Biſhops there may try a Biſhop or Prieſt, three a Deacon, his own Biſhop preſiding.

See *Can.* 12.

‖ To a Synod, there being few Biſhops in that Province.

The Canons mark'd with a Hook on the left Hand contain more than one Rule or Law, and that on ſeveral Subjects, having no relation to each other, viz. 15, 16, 18.

15. If

§ 15. If any Biſhop, Prieſt, Deacon or Clergy-man, refuſing the Eccleſiaſtical Judicature apply himſelf to the Civil, if it be in a Criminal Matter, he ſhall loſe his Place, tho' he carry his Cauſe; but in a Civil Matter he ſhall loſe what he recovered by Suit, if he will retain his Place. If upon Appeal to Superior Eccleſiaſtical Judges, the Judgment of the Inferior Judges be reverſed, this ſhall be no Prejudice to them, if they can't be proved to have judged through Ill Will, Corruption, or Affection. From Judges choſen by Conſent of Parties, though fewer than the Canon requires, there lies no Appeal.

Let not the Sons of Clergy-men manage Publick Shows, nor even be Spectators of them: And it has always been injoined to all Chriſtians, that they go not where Blaſphemy is uſed.

16. Biſhops, Prieſts and Deacons are not allowed to be Farmers or Sollicitors.

* Readers being adult ſhall either Marry, or profeſs Continence.

Whatever a Clergy-man lends he ſhall receive the ſame again in Specie.

Let not a Deacon be Ordained before 25.

Readers ſhall not † *make Obeiſance* to the People.

* *Zonaras* ſays this was never obſerved any where but in *Africa*. See *Can. Ap.* 19. 27.

† *Du*

† *Du Pin* turns the Latin, *Saluto*, by *addreſſing his Speech to the People.*

Gr. 18, 19, 20, 21. 17. That *Mauritania Sitifenſis* having the Leave of the Primate of *Numidia*, and being [formerly] ſeparated from it, have now a Primate of its own, by the Conſent of all the Biſhops and Primates of *Africa*.

18. That before Biſhops or Clergymen be Ordain'd, the Decrees of the Councils be read to them.

That neither the Euchariſt nor Baptiſm be given to dead Corpſes, through the Supineneſs of Prieſts.

That every Year a Council be called, *according to the Nicene Statutes*, to which all the Provinces ſhall ſend 2 * *Biſhops* at leaſt from their own Council, that there may be a full Meeting and Authority.

* See *Can. Nic.* 5. It ſeems very odd, that they ſhould alledge the Authority of the *Nicene* Synod upon this Occaſion; for that orders a Synod twice a Year, this but once; that intends a Provincial Synod, this a *Dioceſan*, or National one.

Gr. 22. 19. If any Biſhop muſt have an Information preferr'd againſt him, let it be to the Primates of the Province; and let him not be ſuſpended from Communion, unleſs he refuſe to appear before the choſen Judges on any Day appointed by them, it being a Month at leaſt after the Summons: and even then, if he have a juſt Excuſe for his Abſence,

Abſence, let another Day be allowed him, and a Month's Warning; but if he do not then appear, let him not Communicate, either in his own Church or * *Pariſh*, till he have made his Purgation: but if he do not appear in the † *Univerſal Yearly Synod*, let him be judged to have paſſed Sentence againſt himſelf. If the Informer abſent himſelf on any Day appointed for the hearing of the Cauſe, let him be removed from Communion, and the Biſhop reſtored, unleſs the Informer prove that his Abſence was unavoidable, in which Caſe he may proceed in his Information. If the Perſon of the Informer appear infamous, let him not be admitted to give his Information, except the Cauſe be ‖ Perſonal, not Eccleſiaſtical.

* See *Can. Ap.* 11. 14. † By this is meant a National Synod of *Africa*. ‖ See *Can. Conſtantinop.* 6.

20. The ſame Form ſhall be obſerved in giving Information againſt Prieſts and Deacons; againſt Prieſts before 6, againſt Deacons before 3 Biſhops, ſuch as ſhall be granted to the Party accuſed by his Biſhop, who ſhall join himſelf to the other 6, or 3. The Biſhop himſelf ſhall finally decide the Cauſes of other Clergy-men. *Gr.* 23.

See *Can.* 12.

21. That the Sons of Clergy-men do not Marry to Heathen, or Heretical Women.

22. That

Gr. 25. 22. That Biſhops and Clergy-men give nothing, even to their Relations, if they be not Catholick Chriſtians.

Gr. 26. 23. That no Biſhop go beyond Sea without * *the Formal, or Commendatory Letter* of the *Biſhop of the Prime See*; *i. e.* the Primate.

* See Note on *Can. Ap.* 10.

13.

24. That nothing be read in Churches in the Name of Divine Writings, beſide the Canonical Scripture, viz. *Geneſis*, &c. as in the 59 Canon of *Laodicæa*, [adding] *Tobias*, *Judith*, 2 Books of *Eſdras*, † 2 of *Maccabees*; [making] 5 Books of *Solomon*, [ſo reckoning *Wiſdom* and *Eccleſiaſticus* for 2 of them:] of the *New Teſtament*, *Matthew*, &c. *Apocalypſe* of *John*. Let this be notified to our Fellow-Prieſt ‖ *Boniface*, or to other Biſhops of thoſe Parts for the Confirmation of this Canon. For we have received from our Fathers that theſe are to be read in Churches.

† Theſe 2 Books are mentioned only in *Dionyſius Exiguus*'s Copy. See *Can. Ap. ult.* *Can. Laod. ult.* ‖ Biſhop of *Rome*.

Gr. 28. 25. That Sub-Deacons, Deacons, Prieſts and Biſhops, who handle the Holy Myſteries, do at their ſeveral * *Terms* abſtain from their Wives, or elſe be remov'd from their Office; but not other Clergy-men, except in the Decline of their Age.

* *i. e.*

* i. e. *Times of Ministration*; so 'tis explain'd, *Can. Trull.* 13. where there were several *African* Bishops present, and allowed of that Explication.

26. That none Sell what belongs to the Church, without the consent of the Primate, and the † *appointed Number* of Bishops. In case of extream Necessity, let him at least call the neigbouring Bishops together, promising to lay his Necessities before the Council: He that does otherwise, forfeits his Dignity. *Gr.* 29.

† *viz.* Twelve. See *Can.* 12.

27. A Priest or Deacon Deposed for gross Crimes, shall not have Hands laid on him, as a Penitent or Lay-Communicant; nor be re-baptized, and so promoted again to the Degree of Clergy-men. *Gr.* 30.

This Canon seems to have been designed to preclude Deposed Clergy-men from all possibility of being restored, directly or indirectly.

28. Priests, Deacons, and Clergy-men, may Appeal from the Judicature of the Bishop, to the Neighbouring Bishops, and from them to the Primates of their Provinces; but let not him that thinks fit to Appeal to * *them beyond Sea*, be admitted to Communion by any in *Africk*. *Gr.* 31.

* Clearly the See of *Rome* is here aim'd at, as if *Carthage* were the Place design'd by Providence to put a stop to the growth of Power in Christian *Rome*, as well as Heathen.

Gr. 32. 29. The Biſhop, or Clergy-men, who being Excommunicated, thruſts himſelf into Communion before his Cauſe be heard, ſhall be look'd upon, to have paſs'd Sentence againſt himſelf.

See *Can. Ap.* 21. *Antioch.* 4. 29.

Gr. 33. 30. If the Informer, or he who is informed againſt, be in a Place where the Violence of the Rabble may be feared; either of them may chuſe a neighbouring Place, where there may be no difficulty of producing the Evidence, and deciding the Cauſe.

Gr. 34. 31. If Deacons, or Clergy-men, will not obey Biſhops, when they prefer them to higher Dignities in the Church; let them not Officiate in the Degree from which they refuſe to depart.

'Tis moſt probable that this Canon is to be underſtood of Deacons deſigned by the Biſhop to be Ordained Prieſts; for the Deacons, at leaſt, in ſome Churches, were provided of a better Maintenance than Prieſts: or it may be underſtood of Inferior Clergy-men, who were permitted to Marry in the Degree they were now in; but would not willingly take the Order of Prieſt or Deacon, becauſe then they were prohibited Marriage.

Gr. 35. 32. If Biſhops, Prieſts, Deacons, or Clergy-men, being Poor when they were Promoted, do after their Promotion, Purchaſe Farms, or other Eſtates; let them be

e look'd upon as Perſons that invade hat belongs to the Lord, if, upon Admonition, they do not give their Purchaſe o the Church: But if an Eſtate comes to hem by Gift or Inheritance, let them diſpoſe of it at diſcretion; but if they break heir Reſolution [of giving it to the Church] let them be thought unworthy of Eccleſiaſtical Honour.

33. That Prieſts may not Sell the Goods of their Church, † or *Title* in which they re Eſtabliſh'd, without the knowledge of heir Biſhops; nor Biſhops the real Eſtates of the * *Mother-Church*, without he knowledge of the Council, or their own Prieſts. *Gr.* 36.

† So I turn the *Lat. Titulus*, for want of a proper *Engliſh* Word. It denotes a leſſer Church in any City or Dioceſe, ſerv'd by a Prieſt.

* *i. e.* The Cathedral; the Church on which the Biſhop reſides.

34. That the Day when *Eaſter* is to be kept, be notified at the time of the Council. *Gr.* 37.

See *Can.* 51, 73.

35. That Biſhops and Clergy-men do not Emancipate their Children, ſo as to permit them to live at their own diſcretion, till they be well aſſured of their good Government of themſelves. *Gr.* 38.

36. That none be Ordained Biſhops, Prieſts, or Deacons, till they have made all of their Family Catholick Chriſtians. *Gr.* 39.

37. That

Gr. 40. 37. That in the Holy Sacrament nothing be offered but Bread, and Wine mix'd with Water: that the First-Fruits of Honey and Milk be Offered on the Altar upon one day only, *viz.* * *the Mystery of Infants*; and that they have their peculiar Benediction a-part from the Sacrament; and that no other First-Fruits be offered but those of Grapes and Corn.

See *Can. Ap.* 2. 3.

* Of this *Quære*, all that I have met with are in the dark as to this Matter.

Gr. 41. 38. That Clergy-men, and such as profess Continence, do not go to Widows or Virgins, without the leave of Bishops or Priests, nor without some Companions assigned by the Bishop or Priest; and that neither Bishop nor Priest go to such Women without the Company of some Clergy-man, or grave Christian.

Gr. 42. 39. That *the Bishop of the prime See* be content with that Title, and be not called *Prince of Priests*, or *Chief-Priest*.

Gr. 43. 40. That Clergy-men go not to Victualling-Houses to eat or Drink, but only upon necessity in their Travels.

Gr. 44. 41. That the Sacraments of the Altar must not be Celebrated by any, who are not Fasting, except on * *the Day of the Lord's-Supper*. If Bishops, or other Persons die in the Afternoon, let them be commended [to God] with Prayer only, if they who are to perform it have broke their Fast.

* *i. e.*

* *i. e. Maundy-Thurſday.* Other Churches had other Cuſtoms, See *Can. Laod.* 50. *Trull.* 29.

42. That Biſhops and Clergy-men make no Entertainments in the Church, except for Travellers in caſe of neceſſity; and that the People be reſtrained in this particular, as much as is poſſible. *Gr.* 45.

43. That the time of Penance be limited by the Biſhop, according to the Quality of the Offence. That no Prieſt reconcile a Penitent without the Biſhop's leave, except in his Abſence. If the Crime be very notorious, let Hands be laid on him before the * *Church Porch.* *Gr.* 46.

* Here I follow *Zonaras*; See *Can. Nic.* 11. *Du Pin* renders *abſidem*, a *high-Place near the Biſhop's Throne.*

44. That Holy Virgins, when taken from the Eyes of their Parents, be entruſted by the Biſhop, or in his abſence by the Prieſt, with ſome Venerable Women; or elſe, that they live together, and obſerve each other, not ſtrowling up and down to the diſhonour of the Church. *Gr.* 47.

45. That Men, ſo Sick that they cannot Anſwer for themſelves, be Baptized when their Friends, at their own Peril, do teſtify their deſire [of Baptiſm.] *Gr.* 48.

That Reconciliation be not denied to Actors and Stage-Players, or † Apoſtates, upon their Converſion. *Gr.* 49.

† *i. e.* What in other Churches were called *Lapſi*; thoſe, who had done Sacrifice thro' the

violence of Torment in Time of Perſecution, profeſſing in the mean time, that their Conſciences did not conſent to what their Hands did.

Gr. 50. 46. That the Paſſions of the Martyrs may be read, when their Annual Memory is celebrated.

Gr. 51. 47. That they who were Baptized in their Infancy by * *the Donatiſts*, be not uncapable of being promoted to the Miniſtry of the Altar, when they are Converted.

* The pretence that the *Donatiſts* had for making a Schiſm, was, that *Cæcilian* Biſhop of *Carthage* had in the time of Perſecution been a *Traditor*, *i. e.* given up the Bible to the Heathen Inquiſitors; this was denied by the Orthodox, who charged them with the ſame Crime in effect, *viz.* of being too favourable to the *Traditors*, and thoſe, that had *laps'd*. They likewiſe are charged with *Arianiſm*.

Gr. 52. 48. That Re-baptizations, Re-ordinations, and Tranſlations of Biſhops, be not allowed according to a former Statute made in the *Capuan* Synod; and that application be made to the Secular Arm againſt Biſhop *Creſconius*, for deſerting his own Church, and invading another.

Gr. 53. 49. That not leſs than Three Biſhops Ordain a Biſhop.

See *Can.* 53.

50. If

50. If there be a Diſpute, let One or Two be added to the former Number, to examine the merits of the Cauſe, and Perſon; and let him firſt be purged [from all Crimes,] then Ordained. *Gr.* 54.

51. That *Eaſter-Day* be notified from the Church of *Carthage* by the Legates met in the Annual Synod, a good while before. *Gr.* 55.

The Synod met in *Auguſt*, See *Can.* 73.

52. That every Province be viſited every time the Council meets, as the Synod of *Hippo* determined: But *Aurelius*, Biſhop of *Carthage*, excuſes himſelf from Viſiting *Mauritania*, as being in the remote Parts of *Africa*, near the Country of the *Barbarians*; tho' (ſays he to the Biſhops of that Country) we wiſh we could come even to you; and the *Tripolines*, and *Arzugitane* Brethren might require the ſame, if it could reaſonably be done. *Gr.* 56.

The manner of viſiting Provinces, and that Annually: and the Perſons by whom this Viſitation was performed, can ſcarce now be diſcovered: only it appears, by the Words of *Aurelius*, that the Biſhop of *Carthage* was one, if not the only Viſitor.

53. That People who never had a Biſhop of their own, be not permitted to have one, without the Conſent of that Biſhop to whom they were formerly Subject; and that thoſe Biſhops who careſs the People *Gr.* 57.

and indulge them, but refuſe to come to Synod, be not permitted to keep their Dioceſſes, nor even their own Churches.

'Tis very clear to any one who reads this Canon, that by *Dioceſe*, is here meant ſome Town or Country lying at a great diſtance from any City, or Biſhop's See, yet claim'd by one certain Biſhop as part of his Territory; tho' the People being courted by another Biſhop, choſe rather to be under him who thus courted them, to the prejudice of the other Biſhop. And 'tis uſed in this Senſe 4 or 5 times in the *Latin* Canon at large.

Gr. 58. 54. That Clergy-men belonging to one Biſhop, be not Ordained and retained by another.

See *Can. Apoſt.* 12. 15, 16. *Chalced.* 10.

Gr. 59. 55. This was always the Authority of the Throne of *Carthage*, to demand what Clergy-man he pleaſes of any Biſhop, and Ordain him Biſhop at the requeſt of any Church that is vacant: yea, if a Biſhop have but one Prieſt, yet the Biſhop of *Carthage* may take him, and Ordain him Biſhop; and the Biſhop who has plenty of Clergy-men, ſhall ſupply the other with Prieſts.

Gr. 60. 56. That no Dioceſe receive a Biſhop, but with the conſent of him to whom it formerly belong'd; and that a Biſhop there Conſtituted, claim no other People or Dioceſe, but that to which he was Ordained.

See

See *Can.* 53. In the Body of this Canon every Biſhop is ſuppoſed to have a *Maſs* or *heap* of *Dioceſſes*, *i. e.* Country Places, under his Juriſdiction: and here are many more Proofs (I mean in the *Latin* Canon at large) of what is ſaid in the *Note* on *Can.* 53.

57. They who in their Infancy were Baptized by the Donatiſts, may be Ordained if they renounce their Hereſy; and receiv'd into the Church, by Impoſition of Hands. *Gr.* 61.

See *Can.* 47. which was made in a former Synod.

58. That the moſt Religious Emperor be Petitioned, that the Heathen Temples which yet remain, eſpecially in the Maritime Parts, be deſtroyed, if they be not an Ornament to the place. *Gr.* 62.

59. And that he would make a Decree, that when any [Secular] Cauſe has been tried in the Church, * *according to the Apoſtolical Law*, and the Deciſion of the Clergy do's not ſatisfy both Parties, that neither the Clergy-men who took cognizance of the Cauſe, nor any other who was preſent, be compelled to give Evidence in the [Temporal] Judicature. *Gr.* 63.

* *viz.* That of St. *Paul*, 1 *Cor.* vi. 1, 2, *&c.*

60. And that the laſcivious Feſtivities of the Gentiles be prohibited, eſpecially on the Nativities of the Martyrs, and in Sacred Places: And that Heathens do no *Gr.* 63.

longer force Christians to join with them; for this is a Persecution under Christian Emperors.

Bishop *Beveridge* and *Tilius*'s Edition of these Canons, in *Greek* and *Latin*, Number the Two preceeding Canons as I have done in the Margent, with the same Figures. I follow them in this Error, because by this means the Reader may more readily be referr'd from the *Latin* Original; and from this *English* Translation to the *Greek*.

Gr. 64. 61. And that Theatrical Shews be forbid on the *Lord's-Day*, and other Solemn Days; and particularly, that if the Day of any Publick [Heathen] Devotion happen on the Octaves of *Easter*, it be transferred to some other time; and that no Christian be forced to these Shews.

Gr. 65. 62. And that he would make a Decree, that no Clergy-man, Convicted by the Judicature of Bishops, be protected; under certain Penalties of Money, and Honour, without exception of Age or Sex.

Gr. 66. 63. And that if any one desire to forsake any Ludicrous Exercise, and become a Christian, no one be allow'd to tempt or force him to such Exercise.

This Canon is probably to be understood of Slaves bought by their Masters for the Service of the Circ, or Theatre.

Gr. 67. 64. And that Manumissions of Slaves be Published in Churches, if our Fellow-Priests in *Italy* be found to have this practice

&tice amongſt them; and that to this purpoſe a Legate be ſent to do all that can be done for the good of Souls, and of the Church.

It is certain that in *Italy*, and ſome other Parts of the Empire, Slaves were ſolemnly ſet at Liberty by their Maſters in the Church and Preſence of the Biſhop from the time of *Conſtantine*: but it ſhould ſeem this Cuſtom had not yet obtained in *Africa*.

65. And that our ſaid Brother [the Legate] do proſecute *Equitius*, who was formerly condemned by the Biſhops, and who has ſince cauſed great Diſturbance to the Church, if he meet with him in thoſe Parts. *Gr.* 68.

66. We think fit to treat the *Donatiſts* with Lenity and Temper, tho' they have cut themſelves off from the Lord's Body by a Turbulent Diſſention. *Gr.* 69.

67. That the [Civil] Judges in *Africa* be requeſted by a Letter from the Council, to enquire how Matters are carried, where the **Maximianiſts*, who have divided from the *Donatiſts*, have poſſeſſion of the Churches; and that they be deſired to aſſiſt the Catholick Church, and guard the Authority of the Biſhops. *Gr.* 70.

* *Maximianiſts* were a Sect bred out of the *Donatiſts*, and ſeparating from them.

68. That Letters be ſent to our Fellow-Biſhops, and eſpecially to the Apoſtolical See, in which our Venerable Brother and *Gr.* 71.

Collegue *Anaſtaſius* preſides, to let them know that we receive thoſe who were Clergy-men among the *Donatiſts* upon their Converſion, with the ſame Honour that they enjoy'd among the *Donatiſts*, if the Biſhop of the Place think fit, according to the Cuſtom of the Church of *Africk*, altho' by a Tranſmarine Council, which we do not pretend to annull, the contrary has been order'd.

Whether the *Donatiſts* Clergy ſhould be re-ordained was only a point of Diſcipline; for the *Donatiſts* retain'd Epiſcopacy: Therefore the *African* Fathers, as they leave other Churches to their Liberty, ſo at the ſame time they declare, that they would continue their old Practice, and leave every Biſhop to act according to his own Diſcretion in this matter; Probably one great Motive, beſide that of Peace, which they had to this, was the great Scarcity of Clergy-men in *Africk*, of which *Aurelius* complains in his Speech, inſerted into the Acts before Canon $\frac{57.}{61.}$ and propoſes, that they ſend to the Biſhops of *Rome* and *Milan* for a Supply; and that this was the true Reaſon, does in ſome meaſure appear from the Words of the *Latin* Canon at large, in which the Occaſion of this Decree is ſaid to be *propter neceſſitatem*; and this is the moſt probable Reaſon why it is left to the Diſcretion of the Biſhop, whether to admit *Donatiſt*-Clergy-men as ſuch, *viz.* if he had occaſion for their Service: And after all, 'tis clear from this very Canon, that other Churches had determin'd this Point the contrary way; therefore Mr. *Calamy* exceeds, when he ſays, *as for the Donatiſts*, all agree, that

that their Orders were acknowledged. Further, he would have it thought *probable, that Orders were not always conferr'd among the* Donatiſts *by Perſons ſuperior to Biſhops:* this he would inferr from the great Number of the Biſhops of that Faction in *Africk*, viz. 278, many of which (ſays he) *could be no more than Pariſh Miniſters.* But why ſo? Were there not 286 Catholick Biſhops at leaſt? and why not as many of one ſide as the other? If our Diſſenters of any ſort had fallen into the Epiſcopal Form of Government, no queſtion, but they would have had a Biſhop in every City at leaſt, and equall'd our Church in the number of Prelates.

69. That Legates be ſent to Preach Peace to the *Donatiſts*, both Biſhops and Laity, and to ſhew them that they departed from the Church as cauſleſly as the *Maximianiſts* have from them, and that they receive Converts from the *Maximianiſts*, as the Church does from the *Donatiſts*, viz. allowing their Ordination and Baptiſm. *Gr.* 72.

70. A Repetition of *Can.* $\frac{25.}{28.}$ concerning Clergy-men's abſtaining from their Wives. *Gr.* 73.

71. That no [Biſhop] leaving his * *Cathedral*, remove to any Church built in a † *Dioceſe*, or that thro' great Care of his own Affairs he neglect his proper Place of Reſidence. *Gr.* 74.

* Lat. *Principalis Cathedra.* † See *Can.* 53. 56. 57. 60.

Gr. 75. 72. That Infants, particularly such as the *Moors* buy of the *Barbarians*, be Baptized, if there be not strong Evidence that they were Baptized before.

Gr. 76. 73. That *Easter-Day* be notified to all by Formal Letters; the time ‖ *of Council* shall be before the 21*st* of *August*, according to the Synod of *Hippo*. And the Primates are particularly to be writ to, that they so order the time of their [Provincial] Council, as not to hinder the Observation of [*Easter*] Day.

See *Can.* 51.
55.

‖ *i. e.* of the National Council at *Carthage*.

Gr. 77. 74. That no Bishop be allow'd to fix himself in the See, where he is * *Intercessor*, tho' the People be never so zealous for him; but that he take care that a Bishop be provided within a Year; if he don't, let another be made Intercessor.

* We here call this *Officer*, *Guardian of the Spiritualties* in the Vacancy of the See. That a neighbouring Bishop should have this Office, was, I suppose, peculiar to the Church of *Africk*.

Gr. 78. 75. That the Emperor be Petition'd that the Poor, whose Complaints give great Trouble to the Church, have † *Defensors* elected for them by the Bishops, to protect them against the Power of the Rich.

† See Note on *Can. Chalced.* 23.

76. A-

76. Againſt the time of the [National] Synods meeting, let all the Biſhops aſſemble [in every Province] tho' in 2 or 3 Companies, and ſignify to their Primates, who are choſen out of each Company, that they who are choſen may be preſent on the Synodical Day; or if they cannot come, to write their Excuſe in the * *Tractory*; or if ſome ſudden occaſion prevent their going after the Arrival of *the* **Tractory*, they are to give in their Excuſe to the Primate, or elſe ‖ *forbear Communion every where, but in their own Churches.* *Gr.* 79.

* *Tractory* has ſeveral Significations; here it ſeems to denote the Written Return made by the Primate of the Province to the Synodical Letter ſent by the Biſhop of *Carthage*. In the Acts inſerted between Canon 90th, and 91ſt, *Tractoria* ſeems to denote the Letter of the Primate to the Inferior Biſhops for chuſing Legates, if it do not rather denote the Biſhop of *Carthage*'s Circular Letter to all the Primates, as it does in the next Paragraph.

‖ A very ſingular ſort of Cenſure, and very moderate. See *Can.* 90.

83.

77. That if *Ceſconius* do not appear at the next Univerſal Synod of *Africa*, Sentence paſs againſt him. *Gr.* 80.

78. That 20 Biſhops go and ſubſtitute a New Biſhop inſtead of *Equitius*. *Gr.* 81.

79. If Clergy-men convicted, or confeſſed [by others] to be guilty of any Crime, will within the Year of their being *Gr.* 82.

ing under Excommunication purge themſelves, they may; afterwards their Plea ſhall not be admitted.

The *Latin Syntax* of this Canon is very confuſed and I am apt to think, corrupted; but if this be the Senſe of it (as is moſt probable) then the Diſcipline of the Church of *Carthage* ſeems ſingular in this, that Clergy-men were not look'd upon as Depoſed, tho' they were convicted at the firſt Inſtance, but only under a Clerical Excommunication, of which See *Can. Nic.* 16.

Gr. 83. 80. The Biſhop that takes a Monk out of a Monaſtery that belongs not to him, and makes him a Clergy-man, or a Superior in a Monaſtery of his own, let the Biſhop * *forbear Communion every where but in his own Church.*

* See *Can.* 76. 122.
79. 123.

Gr. 84. 81. If any Biſhop chuſe ſuch to be his Heirs, as are not related to him, or Hereticks, or Gentiles that are related to him rather than the Church, let him be Anathematized after his Death, and † *his Name not be recited among the Prieſts of God:* nor ſhall he be Excuſed, if he die Inteſtate.

† There were in this Age two Written Tables kept in every Church, whereof one contain'd the Names of all Eminent Biſhops and Clergy-men now living, with whom that Church held Communion and Correſpondence; the other the Names of all Eminent Biſhops, and other Men of

of their own, or other Churches, now dead. The Deacon rehearſed all the Names in both Tables at the Altar, whenever the Euchariſt was celebrated. Theſe Tables were by the *Greeks* called Δίπτυχα, and by ſome *Engliſh* Writers *Diptychs*. See *Can.* of *Peter* of *Alex.* 14.

82. A Repetition of *Can.* 64. of Manumiſſions. 67. *Gr.* 85.

83. That all Altars placed in Memory of Martyrs, in which there are no Remains of thoſe Martyrs, or except it be a Tradition, that the Martyr dwelt or ſuffer'd there, be demoliſh'd by the Biſhop; but if the Rabble will not permit this, yet let the People be admoniſh'd, that they do not frequent, but reprobate thoſe Altars, which have been erected by occaſion of Dreams and pretended Revelations. *Gr.* 86.

84. That the moſt Glorious Emperors be Petition'd, that the remains of Idolatry, not only Images, but Places, Groves and Trees be Extirpated. *Gr.* 87.

See *Can.* 58.
62.

85. That if any Letters are to be written in Council, the Venerable Biſhop [of *Carthage*] who preſides in this Place, do Dictate, and Subſcribe it in the Name of All. *Gr.* 88.

86. That the Diſcipline of the Church of *Africa* remain inviolable: That none of our Brethren dare take Place of them who *Gr.* 89.

who were Ordain'd before him: That they who do so be restrain'd by the whole Council, and particularly that the Right of Primacy in *Numidia* and *Mauritania* be observed according to the Register, which [Register] is to be kept both in the City of the first Bishop, and in the Metropolis, *viz. Constantina.*

From this Canon it appears, that the Primacy in *Africa* was Ambulatory, and belong'd to the Senior Bishop of the Province. If the Primacy had been fixt to the Bishop of any certain City, as in other Countries, there would have been a Salvo, or Exception for that Bishop, as there is in the 24th Canon of the Synod of *Bracara* in *Spain*, with Orders that *all Bishops take place according to their Seniority*, with a reserve to the Bishop of the Metropolis. The Bishop of *Carthage* was not included in this Canon; for it is evident that he had a Precedence annex'd to his See, and that he was in reality a sort of *Patriarch.*

Gr. 90. 87. That Bishop *Quodvultdeus* remain Excommunicated till he submit to a Tryal, which at present he declines.

Gr. 91. 88. That Letters be written to *Maximian*, that he recede from his Bishoprick; and to his People, that they request another Bishop.

Gr. 92. 89. Bishops that are hereafter Ordained in *Africa*, shall have Letters under the Hands of the Ordainers, with the Date of the Day, and *Consul*, that there may be no Dispute about Precedence.

It is evident from this Canon, that the Church in this Age follow'd the Date of the Civil Government, which was *in the Conſulſhip of* Caius *and* Titius, as ours is *in the* 1ſt, 2d, 3d, &c. *Year of the Reign of our King, or Queen.*

90. That he who has once read in any Church, be not retained among the Clergy of another Church. *Gr.* 93.

91, 92, 93, 94. Concerning the *Donatiſts*, for uniting them to the Church by Conference; and if this will not do, by Application to the Emperor and Civil Magiſtrate: And Letters from Pope *Innocent* are mention'd, owning that Biſhops ought not to apply themſelves raſhly to Tranſmarine Judicatures. *Gr.* 94, 95, 96, 97.

95. That Biſhops don't wear themſelves out by coming to a Yearly Synod of all *Africa*: That when a General Synod is called, it be by Virtue of Letters ſent from the Province where the Occaſion of the Synod ariſes, to this See of [*Carthage*]; and that the Synod meet where it ſhall be moſt convenient: but that Cauſes which concern not the Publick, be decided in the Provinces where they ariſe. *Gr.* 98.

This Canon is a tacit Revocation of that Clauſe for Annual Synods in the 18th Canon, which was made in a former Council.

96. That if an Appeal be made, Judges be choſen by each Party, and that there lie no Appeal from them. *Gr.* 99.

97. That

Gr. 100. 97. That the Emperors be Petition'd for * *Defensors*, who have been educated in the [Rhetorick] Schools, who for the Defence of the Church may go into the Judges Apartment, as *Priests of the Province* are used to do.

Gr. 101. That Legates sent to the Emperor's Court by this Council may act at Discretion.

* See *Can.* 75. 78. and Note on *Can. Chalced.* 23.

These Officers seem to be called *Executores* in the Acts of Synod just before this Canon.

The *Priest of the Province* was one chosen out of the Body of Advocates, to be *Councel to the Province*, to act and plead in their Behalf; and that he might do it more effectually, he was allowed to have private Conferences with the Judge.

Gr. 102. 98. That People, who never had a peculiar Bishop, be not permitted to have one, but by Consent of the Provincial Synod, the Primate, and the Bishop to whose Diocese the Church belongs.

Gr. 103. 99. A People converted from *Donatism*, and having a Bishop without Consent of Synod, shall continue to have one, except the Bishop die, and the People be willing to be laid to the Diocese of another. Whatever Bishops were converted before the Imperial Decree † *for Union*, shall retain their People; but since that Decree, all Churches with their Dioceses, and all the Utensils of the Church shall be challenged

lenged by the Catholick Biſhops, whether the People be converted or not.

† *i. e.* for uniting all in the Catholick Faith and ejecting the *Donatiſtical* Biſhops.

100. Biſhop *Maurentius* having an Information againſt him lying before the Council, moves for a Hearing; but the Informers don't appear upon three Calls on the Day appointed: The Cauſe is referr'd to *Sixtus* * *Senex Xantippus*, *Sixtus Auguſtinus*, and 5 more nominated by the Council, the Informers were to make up the Number 12. *Gr.* 104.

* *i. e.* Primate *Xantippus*, as is commonly believed. He and others have this Title frequently given them in the Acts of theſe Councils. See *Can.* 8.

101. That he who is deſerted by his Wife, or ſhe who is deſerted by her Husband, do remain unmarried to any other, or elſe be brought to Penance; and that an Imperial Law to this purpoſe be Petition'd for. **Gr.* 104.

* Here again *Titius*, and B. *Bev.* have the ſame Number to two Canons. See *Can.* 63.

102. That Prayers, or † *Prefaces*, or ‖ *Commendations*, or [Forms at] Impoſition of Hand, which have been approv'd by Council, be ſolemnly uſed by all: nor let others contrary to Faith be preferr'd before them; but let thoſe be rehearſed which have been collected by Wiſe Men. *Gr.* 105.

† That

† That is, such Forms fitted for the present time or occasion, as our Church uses in her Communion Office before the *Trisagium*, on *Christmas*, *Easter*, &c. These Prefaces were very ancient in the Christian Church.

‖ Prayers used to recommend the Catechumens, Penitents, and Dying Souls to God's Protection.

Gr. 106. 103. That Letters be written to the most Holy Pope *Innocent* concerning the Controversy between the Church of *Rome* and *Alexandria*.

Gr. 107. 104. That he who Petitions the Emperor to have his Cause tried by the Civil Judicature, shall be Deposed from his [Ecclesiastical] Dignity: but if he Petition the Emperor to have his Cause heard by Bishops, this shall be no prejudice to him.

Gr. 108. 105. He that does not Communicate in *Africa*, but creeps beyond Sea for Communion, shall be Deposed from being a Clergy-man.

Gr. 109. 106. That he who goes to Court have a * *Formal* Letter to the Church of *Rome*, in which the Occasion of his going to Court is to be intimated, that so he may have a * *Formal* Letter from the Church of *Rome* to the Court; and he who goes without one is to be Excommunicated. If the Occasion of going to Court be sudden and unexpected, let him acquaint the Bishop of *Rome* with it, that he may obtain his Letter. Whatever * *Formal* Letters are granted, let them mention the *Easter-*

Eaſter Day ofthat Year: but if that chance then not to be known, let the *Eaſter-Day* of the precedent Year be inſerted, as ſometimes in publick Dates 'tis ſaid, *After the Conſulſhip of* A. C. *&c.*

* Of *Formal Letters*; See *Can. Ap.* 10. 13.

107. That one Biſhop do not aſſume to himſelf the [final] Cognizance of any Cauſe. *Gr.* 110.

See *Can.* 10, 11, 12, 28, 79. 31, 80.

Recognizes, a Law of the Empire, That every one receive Chriſtianity at his own free choice.

108. We think fit to Decree againſt *Pelagius*; that *Gr.* 111.

109. He who ſays *Adam* was by Nature Mortal, be Anathema. *Gr.* 112.

110. He that denies Original Sin, or that Infants are Baptized for the Remiſſion of Sin, be Anathema. ‖ *Gr.* 112.

‖ See *Can.* 63, 104 both which are double, as this likewiſe is in the Old *Greek* Scholiaſts.

111. He that denies that juſtifying Grace ſtrengthens Men againſt Sin, for the future be Anathema. *Gr.* 113.

112. He that denies the neceſſity of Grace, in order to Obedience, be Anathema. *Gr.* 114.

113, 114. He who ſays, that it is in humility, not in reality, that *we ought not to ſay we have no Sin*, be Anathema. *Gr.* 115.

115. He

Gr. 116. 115. He who ſays, that Saints ſay for others, not for themſelves, *Forgive us our Treſpaſſes*, be Anathema.

Gr. 117. 116. Or in humilty, not in Truth, be Anathema.

Gr. 118. 117. Whenever the Converſion, and Union of the Donatiſts was effected, they ſhould belong to that [Biſhop's] Throne, to which the Catholick Church there did of old belong.

Gr. 119. 118. The [Biſhops] who are Converted from Donatiſm, ſhall divide the Dioceſſes; and let the Senior make the Diviſion, and the Junior chuſe.

Gr. 120. 119. He who converts a Country to the Orthodox Faith, and keeps it [as belonging to his See] for Three Years, ſhall not be impeach'd for it afterwards: And if a Biſhop Converted from Donatiſm do bring his complaint within Three Years, let him have a Tryal.

Theſe Three laſt Canons are of ſo little conſequence, and ſo exceeding dark, that I have Tranſlated them implicitely from *Ariſtenus*, not knowing whether he underſtood them himſelf.

Gr. 121. 120. He that invades a People, whom he ſuppoſes to belong to his, without conſent of neighbouring Biſhops, and before it be finally determined by Eccleſiaſtical Judges, ſhall loſe his Cauſe, however the People ſtand affected to him, and tho' he have the Primate's Letter.

121. It

121. If a Biſhop for Six Months longer neglect to bring over the Donatiſts of any Place to the Catholick Union, let the Place be given to that neighbouring Biſhop who firſt brings them over; unleſs the former can prove, that his ſeeming negligence in permitting them to be eaſy, did more win upon the affections of the Hereticks, and that his neighbouring Biſhop was only too quick for him. If the Parties belong to Two ſeveral Provinces, let the Primate in whoſe Province the Place in diſpute lies, aſſign the Judges. If Judges be choſen by common Conſent, let there be but One or Three, that Two of the Three may be a Majority. *Gr.* 122.

122. He that do's not ſubmit to Judges choſen by each Party, ſhall by the Primate's Letter, be forbid * *the Communion of all Biſhops, till he comply.* *Gr.* 123.

* See *Can.* 76. 80. 79. 83.

123. The Biſhop *who* † *belongs to any of the Metropoles*, if after Six Months warning from his neighbouring Biſhops, he has neglected to bring over the Donatiſts, let none Communicate with him till he comply, unleſs *the* * *Executors* have been wanting on their part. *Gr.* 124.

† So I turn *Matrices Cathedræ.* I know indeed there were no fixed Eccleſiaſtical Metropoles in *Africa*; but they had Civil Metropoles called by that Name, *Can.* 86, which See.

* Of these Officers, See *Can.* 97.

100.

Gr. 125. 124. The Bishop, who pretends that the Donatists do Communicate, when he knows they do not, shall lose his Bishoprick.

Gr. 126. 125. A repetition of Canon 28, 31, against Appeals to Foreign Jurisdiction.

Gr. 127. 126. A Bishop may veil a Virgin before she be Twenty-five, notwithstanding the former Canon, at the request of her Parent; or if there be danger of her being ravished.

Gr. 128. 127. That all the Bishops be no longer detained in Council, 'tis agreed, that Three Commissioners be chosen out of each Province. Accordingly *Vincentius*, *Fortunatianus*, and *Clarus*, were chosen for the Province of *Carthage*; *Alypius*, *Augustinus*, and *Restitutus*, for the Province of *Numidia*; *Jocundus* and *Æmilianus*, with *Sixtus Senex Donatianus*, the Primate, for the Province of *Byzacum*; *Severianus*, *Asiaticus* and *Donatus*, for the Province of *Mauritania Sitifensis*; *Plautius* (the only Legate of * *Tripoly*, according to Custom) who, with *Sixtus* † *Senex Aurelius* [Bishop of *Carthage*] are to take Cognizance of all things: and that he Subscribe all that has been done at the request of the Council.

Here you have the Five *African* Provinces specified.

* Two

* Two *Sanctî Senes* mentioned, who we are re were both Primates. See *Can.* 100. 104.

† See *Can.* 14.
And here we have an Ancient Precedent for ynods delegating their Authority to a Committee, with *the Primate of all Africa* at the ead of it.

128. That no Excommunicated Clergy- nan, or Lay-man, be allowed to Inform a- ainſt others. *Gr.* 129.

129. That no Slaves, or Freed Men, In- amous Perſons, Actors, Catamites, Here- icks, Heathens, or Jews, and ſuch as are iſallowed by the Civil Laws, be admitted o Inform againſt others, except in Per- onal Cauſes. *Gr.* 130.

See *Can. Conſt.* 6.

130. That they who cannot prove the irſt Crime, be not allowed to alledge a econd. *Gr.* 131.

131. That Perſons * *not capable of in- forming*, be not admitted to give Teſtimo- y, nor any of the Family of the Informer, r that is under 14 Years of Age. *Gr.* 132.

* See *Can.* 129.

132. If a Biſhop affirm that any one confeſſed a Crime to him alone, and the other deny it; let not the Biſhop think himſelf wrong'd if credit be not given to his ſingle Teſtimony, tho' he inſiſt upon it, that he can't in conſcience Communicate with him. *Gr.* 133.

133. So

Gr. 134. 133. So long as a Biſhop refuſes Communion [with ſuch a One:] let other Biſhops refuſe Communion with the Biſhop.

Never was a more impartial Law made, eſpecially when all the Legiſlators were Biſhops except Two. The e were 217 Biſhops, and Two Prieſts, being Legates from the Biſhop of *Rome*.

The *Greeks* make a Canon of the Ratification, and reckon no more than 135.

Gr. 135. 134. The *Latins* add the Number 134 to the Council's Letter to Pope *Boniface*, concerning the matter mentioned in *Note* on *Can. Sard.* 5.

135. to *Cyril* Biſhop of *Alexandria*'s Letter, concerning the *Nicene Canons*.

136. to *Atticus* Biſhop of *Conſtantinople*'s Letter, concerning the *Nicene Canons*.

137. to the *Nicene Creed*.

138. the *African* Council's Letter to Pope *Cœleſtine*, containing an Account of *Apiarius*.

The

THE CANONS OF St. *Dionyſius* of *Alexandria*, about the Year 247. in his Epiſtle to *Baſilides*.

1. THAT they who have not Faſted the *Monday*, *Tueſday*, *Wedneſday* and *Thurſday* before *Eaſter*, do no great thing, if they Faſt the *Friday* and *Saturday*, and ſo till paſt Three on *Eaſter* Morning: But they who have Faſted the whole Six Days, are not to be blamed if they break their Faſt after Midnight. He obſerves, that ſome do not Faſt any of theſe Days.

2. That Menſtruous Women ought not to Communicate, or come to Church; but to Pray elſewhere.

3. They that can contain, and are Aged, ought to judge for themſelves. They have heard St. *Paul* ſay, that they ſhould *for a time give themſelves to Prayer, and then come together again.*

4. That they who have had involuntary Nocturnal Pollutions, be at their own diſcretion [whether to Communicate or not.]

The CANONS of St. *Peter* of *Alexandria*, who Died a Martyr, in the Perſecution of *Diocleſian*, *Anno Dom.* 311.

1. THEY who did not fall till after they had endured very ſevere torments, and have already been *Mourners* Three Years, after Forty Days Faſt, are to be admitted to Communion, tho' they have not before been received [to Penance.]

2. But if they endured Impriſonment only, without Torments, let a Year be added to their former Penance.

3. If they fell voluntarily, without Torments or Impriſonments, but are come to Repentance, Four Years are added to their former Penance.

4. The Caſe of them who do not repent, pronounced deſperate.

5. They that uſed Evaſion, and did not right down Subſcribe the Abnegation, or with their own Hands incenſe the Idols; but ſent a Heathen to do it for them, are injoined Six Months Penance.

6. Slaves forced by their Maſters to incenſe Idols, are injoined a Years Penance.

7. The Maſters who forced them to it, are injoined Three Years Penance.

They who firſt fell, afterwards recover'd themſelves, by Profeſſing themſelves Chriſtians,

stians, and endured Torments, are forthwith admitted to Communion.

9. That they who provoked the Magistrates to Persecute themselves, and others, are to be blamed, yet not to be denied Communion.

10. That Clergy-men, who run themselves into Persecution, and fell, tho' they did afterwards recover themselves, and suffer Torments, yet are not to be admitted to perform the Sacred Offices.

11. That they who Prayed for them who fell after long Tortures, be conniv'd at, and we Pray together with them, since they lament for what they have done, with Anguish and Mortification.

It might at first sight seem a great Fault, for a Clergy-man Publickly to Pray for one that had denied Christ, and Sacrificed to Idols; but this Canon excuses him, in case the Person that laps'd had shew'd himself Sincere before, and Penitent afterward. If I don't understand this Canon right, in which I will not be over-confident, I shall be beholden to him that gives a more just Account of it. The truth is, there is occasion for a Critick; for the *Greek* is certainly corrupted.

12. That they who with Money purchased their ease and freedom, are to be commended.

13. Nor should we accuse those who ran away, and left all, tho' others left behind might fare the worse for it.

14. That they who endured Tortures, and afterwards, when they were deprived of Speech and Motion, had their Hands forced into the Fire to offer unholy Sacrifice, be placed in *the Liturgy*, among the Confessors.

In *the Liturgy*, or *Diptychs* of the Church, containing the Names of all those most eminent Persons, either alive or dead, with whom they profess'd Communion, and which was rehears'd at every Oblation. See *Not.* on *Can. Afr.* 81. 84.

15. *Wednesday* is to be Fasted, because then the *Jews* conspired to betray *Jesus*; *Friday*, because he then Suffered for us. We keep the *Lord's-day* as a Day of Joy, because then our Lord rose. Our Tradition is not to kneel on that Day.

The CANONS of *Gregory Thaumaturgus*, Bishop of *Neo-Cæsarea*, about the Year of our Lord 240. After the *Goths* had Ravaged *Asia*, in the Reign of *Galienus*.

IT seems to have been a Circular Letter, sent to every Bishop of his Province, by *Euphrosynus*, who was one of them, and whom he calls συγγέροντα, his *old Friend*. The Title he gives to every Bishop, in the front of his Epistle, is, *Most Holy Pope*; that

that being a Compellation then given to any Biſhop.

1. That they who have been taken Captives by the *Barbarians*, and eat with them, be not treated as Perſons that have eat things offered to Idols, eſpecially becauſe 'tis univerſally reported, that they do not Sacrifice to Idols: nor ſhall thoſe Women who have been raviſht by them be treated as guilty of Fornication, unleſs they were before of lewd Lives.

2. That thoſe Chriſtians, who plunder'd their Brethren during the Invaſion of their Brethren, be Excommunicated.

3, 4, 5. Declares that the Pretence of having found thoſe Goods, or that they themſelves loſt things of equal Value, ſhall ſtand them in no ſtead, but that * *they be Excluded from Prayer.*

* There is no other Excommunication ſo worded in all this Book of Canons; it denotes the being placed among the *Proſtrantes*, which was the next Station, among the Penitents, to that of the Co-ſtanders. See *Can. Nic.* 11. and Notes.

6. Againſt thoſe who detain them as Priſoners, who had eſcaped from the *Barbarians*, the Holy Man expects that ſuch ſhould be Thunder-ſtruck.

7. That they who joined the *Barbarians* in their Murder and Ravages, or were Guides or Informers to them, be not permitted to be *Hearers*, till Holy Men aſ-

ſembled together, do agree upon this matter in common.

8. But if they diſcover themſelves, and make reſtitution, they ſhall be admitted to be *Proſtrators*.

9. They that are convicted to have found any thing [of their Neighbours] left by the *Barbarians*, ſhall alſo be Proſtrators; but if they confeſs themſelves, they ſhall communicate in Prayer.

10. This laſt Privilege is reſtrained to ſuch as demand nothing as a reward for their Diſcovery, Salvage, or under any Pretence whatever.

11. The Station of *Mourners* is without the Gate of the Oratory; the Station of the *Hearers* is within the Oratory, in the Porch with the *Catechumens*; the Station of *Proſtrators* is within the Door of the Temple; the Station of *Co-ſtanders* is among the Communicants; the laſt is the Participation of Holy Myſteries.

See *Can. Nic.* 11.

The laſt Paragraph is not a Canon properly ſo called, nor St. *Gregory*'s; but an Addition by ſome other Hand.

The

The CANONS of St. *Athanaſius*, Biſhop of *Alexandria*, about the Year of Chriſt 326.

In a Letter to Ammus *a Monk.*

1. THAT Involuntary Nocturnal Pollutions are not ſinful, nor Matrimony, tho' Virginity is to be preferr'd before it.

In his Letter of Feſtivals.

2. This contains the Canon of Scripture as we now receive it in all reſpects, ſave that *the Epiſtle of Baruck* is reckon'd in the Canon, but *Eſther* is not. He tells us there are other Books never reckon'd in the Canon, but diſtinguiſh'd by the Fathers, *viz. Wiſdom of Solomon, of Sirach,* * *Eſther, Judith, and Tobias*, and that which is called *the Doctrine of the Apoſtles*, a Book now loſt, and *Paſtor*. Theſe, ſays he, are read, the other are reckon'd of the Canon. *Apocryphal Books are the Invention of Hereticks*; ſo that he means by *Apocryphal*, not what we do, but Books framed by Hereticks, in the Name of ſome Great or Holy Men.

* 'Tis the common Opinion of Learned Men, that the Reaſon why ſome of the Ancients reckon'd the Book of *Eſther* not to belong to the Canon was, the *Apocryphal* Chapters added to it by another Hand.

3. It has been determined by Synods in *Greece*, *Spain*, and *France*, that they who have fallen, or been Leaders of Impiety, [*Arianism*] be pardon'd upon Repentance, but that they have no Place among the Clergy; but that they who were only drawn away by force, or that comply'd for fear the People should be corrupted, have a Place among the Clergy too. Let the People who have been deceived, or forced, be pardon'd upon Repentance, and pronouncing Anathema against the Miscreancy of *Eudoxus* and *Euzoius*, Ringleaders of the *Arians* (who assert that Christ is a Creature,) and profess the Faith of the Fathers at *Nice*, and that no Synod can prejudice that.

Mr. *Calamy*'s Defence, *Part* I. *p.* 235. thinks it much to his purpose to tell us that *the* Arians *were not requir'd to be Re-ordain'd*; but they were more severely dealt with, as appears by these Words of *Athanasius*; for they were not, if they had been forward Men, admitted into the Church upon any terms. But it ought to be observ'd, that many that afterwards turn'd *Arians*, had been Ordain'd by Orthodox Bishops; and that the *Arian* Bishops had so many Arts and Shifts, that it was very hard to say, of very many of them, to which side they belong'd. They often acted as Orthodox, join'd in with those of the Catholick Church, not only in Ordinations and Synods, but even Communion; so that it was very hard, if not impossible, to say who had been Ordain'd by Catholick Bishops, who by *Arians*.

The

The CANONS of St. *Baſil the Great*, Biſhop of *Cæſarea* in *Cappadocia*, *Anno Domini*, 369.

His Firſt Canonical Letter to Amphilochius *Biſhop* of Iconium.

1. THE Baptiſm receiv'd amongſt Hereticks, as the *Manichees*, *Valentinians*, *Marcioniſts* and *Pepuzenes*, is not good, tho' *Dionyſius* of *Alexandria* thought otherwiſe. Baptiſm receiv'd among Schiſmaticks, as *Puritans*, *Encratites*, *Hydroparaſtatæ*, *Apotactites*, was not thought good by the Ancients, particularly *Cyprian* and *Firmilian*; for *the Communication of the Holy Spirit ceaſes, where the Succeſſion is broken:* Therefore, neither is their Ordination valid; and their Baptiſm, *like that performed by Lay-men*, is to be cleanſed by the Baptiſm of the Church, tho' ſome of them allow of our Baptiſm. But becauſe it ſeems otherwiſe to ſome in *Aſia*, let all follow the Cuſtoms of the Place, and the Practice of their Fathers: Let their Baptiſm and Ordination be allowed, and they that are converted from them be admitted into the Church by Unction only. They that have kept *Paraſynagogues*, that is, who being Biſhops or Prieſts, and cenſured for their Offences, would not ſubmit to the Canons, but held

Assemblies contrary to Canon; and they who side with them are admitted into the Church; and they who are Ordained amongst them to the same Order in the Church, upon their Repentance.

Manichees, who believed two first Causes, or Gods, one good the other evil. *Valentinians* feigned a Genealogy of *Æones*, much like that which *Hesiod* gives us of the Gods: asserted that Christ brought his Body from Heaven with him, and placed Perfection in lewd Amours. *Marcionists* held two Gods with the *Manichees*; believ'd that Jesus Christ had only an Appearance of a Body, not a real one: That the Prohibition of eating the Fruit of the Tree of Knowledge, and the *Mosaical* Law, was from the evil God. They only received the Gospel of St. *Luke*, and Ten of St. *Paul*'s Epistles.

Pepuzenes were *Montanists*, who believed *Montanus* to be the *Paraclete*, and his two Trulls, *Priscilla* and *Maximilla*, to be Propheteſſes, and confounded the Persons of the Trinity. *Puritans*, i. e. *Novatians*. *Encratites* reject Marriage, and the eating of all living Creatures. *Hydroparastatæ*, seem to have been of the same Opinion with the *Encratites*, and further, used Water in stead of Wine in the Communion.

2. Let her that procures Abortion undergo ten Years Penance, whether the Embryo were perfectly formed, or not.

3. A Deacon guilty of Fornication is Deposed, not Excommunicated; for the Ancient Canons forbid a single Crime to be twice punished: And further, a Layman Excommunicated may be restored to the

the Degree from which he falls; but a Clergy-man Depoſed cannot. Yet 'tis better to cure Men of their Sins by Mortification, and to execute the Canon only in Caſes where we cannot reach what is more perfect.

See *Can. Ap.* 18.
25, 26.

4. They that Marry a ſecond time, uſed to be under Penance a Year or two: They that Marry a third time, three or four Years; but we have a Cuſtom that he who Marries a third time be under Penance five Years, not by Canon but Tradition; half of this time they are to be *Hearers*, afterwards *Co-ſtanders*.

See *Can. Nic.* 11. *Greg. Thaum.* 11.

5. Hereticks upon their Death-Bed giving good Signs of their Converſion, to be received.

6. Let it not be counted a Marriage, when * one belonging to the Church has committed Fornication, but let them be forced to part.

* *i. e.* A Clergy-man, Monk, Deaconeſs, *&c.*
See *Can. Nic.* 16, 17.

7. Venery with Brutes, or of Men with Men, Murder, † Witchcraft, Adultery and Idolatry, deſerve the ſame Puniſhment. Thirty Years Penance is ſufficient, if they did it thro' Ignorance, and confeſſed it themſelves

themſelves; but eſpecially if they be real Penitents.

† Or *Pharmacy.* See *Can. Anc.* 24.

8. He that kills another with a Sword, or hurls an Axe at his own Wife and kills her, is guilty of Wilful Murder; ſo is ſhe that gives a *Philtrum*, if the Man that takes it, die upon it; ſo are they, who take Medicines to procure Abortion; and ſo are they who kill on the High-way, and Rapparees.

9. Our Lord is equal to the Man and Woman, forbidding Divorce, ſave in Caſe of Fornication; but Cuſtom requires Women to retain their Husbands, though they be guilty of Fornication. The Man deſerted by his Wife may take another, and tho' he were deſerted for Adultery, yet St. *Baſil* will not be poſitive, that the other Woman who afterwards takes him is guilty of Adultery; but the Wife is not allowed this Liberty: and the Man who deſerts an Innocent Wife is not allowed to Marry.

10. That they who Swear that they will not be Ordained, be not forced to break their Oath. *Severus*, Biſhop of *Maſada*, who had Ordain'd *Cyriac* Prieſt to a Country Church, ſubject to the Biſhop of *Meſthia*, is referr'd to the Divine Tribunal, upon his pretending that he did it by Surprize. *Cyriacus* had upon his Ordination, been forced, contrary to Canon,

to Swear that he would continue in that Country Church; but the Biſhop of *Meſthia*, to whom that Church properly belonged, forced him out. St. *Baſil* adviſes *Amphilochius* to lay the Country Church to *Maſadæ*, and make it ſubject to *Severus*, and to permit *Cyriacus* to return to it and ſave his Oath; and by this means he ſuppoſes that *Longinus*, the Lord of that Country, would be prevailed upon to alter his Reſolution of laying that Church deſolate, as he declar'd he would upon *Cyriacus*'s Expulſion.

By this it ſhould appear, that Metropolitans had a Power of diſmembring Dioceſes.

11. He that is guilty of involuntary Murder, ſhall do Eleven Years Penance.

12. The Canon Excludes from * *the Miniſtry* thoſe who are guilty of Digamy.

* See *Can. Ap.* 13. ὑπηρεσία can ſignify no Order above that of Deacon.

13. Our Fathers did not think that killing in War was Murder, yet I think it adviſeable for ſuch as have been guilty of it to forbear Communion three Years.

This Canon, ſays *Zonaras*, was never kept.

14. An Uſurer, giving his unjuſt Gain to the Poor, and renouncing his Love of Money, may be admitted into the Clergy.

15, 16. Not properly Canons, but Explications of Scripture, and thoſe ſcarce intelligible.

Here

Here begins his Second Epistle.

17. I Made a Canon, that they at *Antioch*, who had sworn not to perform the Sacred Offices, should not do it publickly, but in private only: As to *Bianor*, he is remov'd from thence to *Iconium*, and therefore is more at Liberty; but let him repent of his rash Oath which he made to an Infidel for avoiding a small danger.

St. *Basil* proceeds upon this Principle, that *'tis unlawful for a Clergy man to forswear his Office*; but how great a Man was he who could give Laws to another Church, and so great a one as that of *Antioch*.

18. That the Ancients received a professed Virgin that had Married, as one guilty of Digamy, *viz.* upon one Years Penance; but they ought to be dealt with more severely than Widows professing Continency, and even as Adulterers: but they ought not to be admitted to profess Virginity before 16 or 17 Years of Age, after Trial, and at their own earnest request; whereas Relations often offer them that are under Age, for their own Secular Ends, but such ought not easily to be admitted.

19. That Men, tho' they seem tacitly to promise Cœlibacy by becoming Monks, yet do it not expressly; yet I think fit that they be interrogated too, and that a Profession should be demanded of them, that if they betake themselves to a Carnal Life they may be punish'd as Fornicators.

20. We-

20. Women professing Virginity, though they did Marry while they were Hereticks, or Catechumens, yet are pardon'd by Baptism.

21. A Married Man committing Lewdness with a single Woman is severely punish'd as guilty of Formication, but we have no Canon to treat such a Man as an Adulterer; but the Wife must co-habit with such a one: But if the Wife be lewd, she is divorc'd, and he that retains her is [thought] impious; such is the Custom, but the Reason of it does not appear.

22. That they who have stollen Virgins, and will not restore them, be treated as Fornicators; that they be one Year *Mourners*, the second *Hearers*, the third Year *receiv'd to Repentance*, and the fourth Year be *Co-standers*, and then admitted to Communion. If the Virgins be restored to those who had espoused them, it is at their Discretion to Marry them, or not; if to their Guardians, 'tis at their Discretion to give them in Marriage to the Raptors, or not.

Here to be received to Repentance, signifies to be *Prostrators*.

23. That a Man ought not to Marry two Sisters, nor a Woman two Brothers: That he who Marries his Brother's Wife, be not admitted [to Communion] till he dismiss her.

24. A Deaconess being sixty Years old, and Marrying, is not to be admitted to Communion till she cease from her Unclean-

cleanneſs; If ſhe be leſs than ſixty 'tis the Biſhops fault who admitted her Deaconeſs, not the Woman's.

* 25. He that Marries a Woman that he has corrupted, ſhall be under Penance for corrupting her, but may retain her for his Wife.

Balſam. on the next Canon puts the Queſtion, how a Woman that is under Penance for Fornication can be Married? And he anſwers, It might be done, when Marriage was performed by a Contract only; but it could not be in his time, becauſe the Euchariſt was to be given at Marriage.

26. If it may be, 'tis better, that they who have committed Fornication together be parted; but if they be paſſionate Lovers, let them not ſeparate, for fear of what is worſe.

27. Let the Prieſt, who is married inceſtuouſly through Ignorance, enjoy the Dignity, but forbear the Celebration of Divine Offices; for how ſhall one in ſuch a caſe bleſs others?

28. That 'tis ridiculous to vow not to eat Swine's Fleſh, and to abſtain from it is not neceſſary.

29. That Princes ought not to Swear to wrong their Subjects: That ſuch raſh Oaths ought to be repented of, and Evil not to be juſtified under Pretence of Religion.

30. That they who * ſteal Women, and their Accomplices, be not admitted to Prayers, or to be *Co-ſtanders* for three Years. Where

Where no Violence is uſed, there no Crime is committed except there be Lewdneſs in the Caſe. A Widow is at her own Diſcretion. We muſt not mind vain Pretences.

See *Can.* 22.

* To ſteal a Woman that is a Fortune, and to deflower a Man's own Slave are too very different things. The latter was forbid and cenſured, *Can. Ap.* 59. the former, as St. *Baſil* obſerves, had no 67. Canon made againſt it; therefore the Father inflicts this Cenſure, *as his own Judgment.*

31. She, whoſe Husband is abſent from home, if ſhe co-habits with another Man, before ſhe is perſwaded of his Death, commits Adultery.

32. The Clergy-man who is depoſed for Mortal Sin, ſhall not be Excommunicated.

See *Can.* 3.

By Mortal Sin is probably meant, according to *Balſamon*, ſuch Sin as uſed to be puniſh'd with Death, as Murder, Felony, *&c.* and though they eſcaped with their Lives by the Eaſineſs of the Judge, or the Emperor's Pardon, yet they were under Church-Cenſure. *Ariſtenus* ſays, 'tis Fornication, or Carnal Sin.

33. That a Woman being deliver'd of a Child in a Journey, and taking no Care of it, ſhall be reputed guilty of Murder.

* See *Can.* 52.

34. That the Crime of Women under Penance for Adultery, upon their own Confeſſion, be not puniſh'd, † leſt it occaſion their

their Death; but that they remain out of Communion the appointed time.

† Not, says *Balsamon*, that 'twas allow'd by the Civil Laws to a Husband in this Case to kill his Wife (except he caught her in the Fact, and in his own House; for then he might kill even the Adulterer, if he were a Stage-Player or Infamous Person) but for fear the Man in his rage should do that which he could not answer.

35. If a Woman leave her Husband, and if it do upon Inquiry appear, that she did it without reason, she deserves to be punish'd; but let him continue in Communion.

36. A Soldier's Wife Marrying after the long Absence of her Husband, but before she is certified of his Death, is more pardonable than another Woman, because 'tis more credible that he may be dead.

See *Can.* 31.

* 37. That he, who having another Man's Wife or Spouse taken away from him, Marries another, is guilty of Adultery with the first, not with the second.

38. If a Woman run after him that has corrupted her, she shall be under Penance three Years, tho' the Parents be reconciled to her.

* 39. She, who continues to live with an Adulterer, is all that time an Adulteress.

40. She that [being absent] gives her self up to the Will of a Man, without the Consent

ſent of her Maſter, commits Fornication; for Pacts of thoſe who are under the Power of others are null.

41. A Widow being at her own Diſcretion, may Marry to whom ſhe will.

42. Slaves Marrying without the Conſent of their Maſters, or Children without Conſent of their Fathers, 'tis not Matrimony but Fornication, till they ratify it by conſenting.

*43. That he who gives a Mortal Wound to another is a Murderer, whether he were the firſt Aggreſſor, or did it in his own Defence.

44. A Deaconeſs having been guilty of Lewdneſs with a Pagan, ought not to be *Excommunicated, but only depriv'd of the Oblation ſeven Years.

* That is, put among the *Mourners*, &c. Here I follow *Balſamon* and *Du Pin*. See *Can.* 32, & 3.

*45. He that aſſumes the Name of a Chriſtian, but reproaches Chriſt, ſhall have no Advantage from his Name.

46. She that Marries a Man who was deſerted for a while by his Wife, but is afterward diſmiſs'd upon the return of the Man's former Wife, commits Fornication, but ignorantly: She ſhall not be prohibited Marriage, but 'tis better that ſhe do not Marry.

47. *Encratites*, *Saccophorians*, and *Apotactites* are in the ſame Caſe with the *Novatians*. We re-baptize them all. There is a Diverſity

sity in the Canons relating to the *Nova tians*, no Canon concerning the other. I it it be forbid with you, as 'tis at *Rom* for Prudential Causes, yet let Reason pre vail. They are a Branch of the *Marcio nists*; and tho' they Baptize in the Nam of the Three Divine Persons, yet they make God the Author of Evil, and assert tha Wine, and the Creatures of God are defiled The Bishops ought to meet, and make Canon to this purpose.

Some fansie a Contradiction between this Ca non and the first. I can't see it. In both Canon he owns that others do not re-baptize *Novati ans*, &c. but yet 'tis his Opinion, that they ought to be re-baptized; and 'tis to be observed, tha St. *Basil* wrote this long before the Council o *Constantinople*, which in its 7th Canon admits them without Re baptization. 'Tis probable there were a more rank sort of *Novatians* in the Part about *Neo-Cæsarea*, which makes the good Man so severe against them. I don't find that the *Novatians* are charged with the Opinions here mention'd, by any other but St. *Basil*.

48. A Woman dismiss'd from her Husband, ought to remain unmarried in my Judgment.

The *Scholiasts* understand this Canon of a Woman dismiss'd without any just Cause. It appears from St. *Basil*'s way of Expression, that this was a Point then not Ruled.

49. If a Slave be forced by her Master, she is innocent.

50. We

50. We look on Third Marriages as diſgraceful to the Church, but do not abſolutely condemn them, as being better than Fornication.

Here begins the Third Epiſtle.

51. THat one Puniſhment be inflicted on lapſing Clergy-men, *viz.* Depoſition, whether they be in Dignity, or in the Miniſtry, which is given without Impoſition of Hands.

Biſhops, Prieſts and Deacons, are ſaid to be in *Dignity*; the reſt were Ordained without Impoſition of Hands in the Eaſtern Church, and called *Miniſters*.

52. A Woman delivered in the Road, and neglecting her Child, is guilty of Murder, unleſs ſhe was under neceſſity by reaſon of the Solitude of the Place, and the want of Neceſſaries.

53. Tho' a Widow Slave may pretend ſhe was forced to a Second Marriage, yet ſtill ſhe muſt be Puniſh'd as guilty of Digamy.

The Canon ſuppoſes, that Force was only pretended, and that the Woman did really chuſe Marriage, therefore ſhe ought to be treated as one Married a ſecond time.

54. That it is in the Biſhop's Power to increaſe or leſſen Penance for involuntary Murder.

55. Lay men Setting upon Highway-men are to be Excommunicated, Clergy-men Depoſed.

This

This Canon does not forbid Self Defence, b
only being Aggreſſors; and if one body of M
be permitted to aſſault another upon preten
of their being High-way Men, it might be t
Occaſion of ſhedding much innocent Bloud.

56. The wilful Murderer ſhall be 4 Yea
a *Mourner*, 5 Years a *Hearer*, 7 Years
Proſtrator, 4 Years a *Co-ſtander*, and the
Communicate.

57. The involuntary Murderer for
Years ſhall be a *Mourner*, for 3 Years
Hearer, 4 Years a *Proſtrator*, 1 Year a C
ſtander, and then Communicate.

58. The Adulterer ſhall be 4 Years
Mourner, 5 a *Hearer*, 4 a *Proſtrator*, 2
Co-ſtander.

59. The Fornicator ſhall be a *Mourne*
2 Years, 2 a *Hearer*, 2 a *Proſtrator*, 1
Co-ſtander.

60. Profeſſed Virgins and Monks, if they
fall from their Profeſſion, ſhall undergo
the Penance of Adulterers.

61. The Thief, if he diſcover himſelf,
ſhall do 1 Years Penance; if he be diſco-
vered [by others] 2; Half the Time he
ſhall be a *Proſtrator*, the other half a *Co-
ſtander*.

* 62. He that abuſes himſelf with Man-
kind, ſhall do the Penance of an Adul-
terer.

63. And ſo ſhall he who abuſes him-
ſelf with Beaſts, if they voluntarily con-
feſs it.

See *Can.* 58.

64. The perjur'd Perſon ſhall be a *Mourner* 2 Years, a *Hearer* 3, a *Proſtrator* 4, a *Co-ſtander* 1.

65. He that profeſſes Conjuration, or Pharmacy, ſhall do Penance as long as Murderer.

66. He that digs the Dead out of their Graves, ſhall be a *Mourner* 2 Years, a *Hearer* 3 Years, a *Proſtrator* 4 Years, a *Co-ſtander* 1 Year.

*67. Inceſt with a Siſter is puniſh'd as Murder.

68. All inceſtuous Conjunction, as Adultery.

69. A Reader or Miniſter lying with a Woman he has only eſpouſed, ſhall be Suſpended from his Function 1 Year; but if he have not eſpouſed her, he ſhall [wholly] ceaſe from his Miniſtry.

Mem. The *Eſpouſals* were formerly different from the Conſummating Solemnity or Benediction.

70. The Prieſt or Deacon that is * polluted in Lips, ſhall be Suſpended from his Function, but ſhall Communicate with the Prieſts or Deacons. He that does more ſhall be Depoſed.

* *Obſcœnum eſt, nec lubet noſſe quid Sanctus voluerit.*

71. He that is convicted to have been conſcious to any of theſe Crimes, but not diſcovered it, ſhall be treated as the Principal.

72. He

72. He that gives himſelf to Divination, all be treated as a Murderer.

73. He that has denied Chriſt is to be Communicated at the Hour of Death, if he confeſs it, and be a *Mourner* till that time.

74. He that has the Power of binding and looſing, [the Biſhops] may leſſen the time of Penance, to an earneſt Penitent.

75. He that commits Inceſt with a half-Siſter, ſhall be a *Mourner* 3 Years, a *Hearer* 3 Years, a *Proſtrator* 3 Years, a *Co-ſtander* Years.

2 * 76. And ſo ſhall he who commits Inceſt with his Son's Wife.

* 77. He that divorces his Wife and Marries another, is an Adulterer; and according to the Canons of the Fathers, he ſhall be a *Mourner* 1 Year, a *Hearer* 2 Years, a *Proſtrator* 3 Years, a *Co-ſtander* 1 Year.

This in the Canon is called the Penance of an Adulterer; but See *Can.* 58. That, ſays *Balſamon*, was *Baſil*'s Canon; this is only a Citation of the Authority of the Ancients.

* 78. So ſhall he who ſucceſſively Marries two Siſters.

* 79. So ſhall he who madly loves his Mother in Law, or Siſter.

80. The Fathers ſay nothing of Polygamy as being beaſtly, and a thing to which Mankind is averſe. To us it appears a greater Sin than Fornication: Let therefore ſuch [as are guilty of it] be liable to the Canons, *viz.* after they have been

been *Mourners* one Year —— let them be *Proſtrators* three Years —— and then be receiv'd.

Polygamy is by ſome ſuppoſed to ſignify the having more Wives than three ſucceſſively: By others the having them altogether; to which laſt Opinion I incline; but then 'tis evident, that we have not that Canon perfect, for it declares Polygamy to be a greater Sin than Fornication; now the leaſt time of Penance for Fornication was 4 Years, See *Can.* 22. St. *Baſil* would bring it to 7, *Can.* 59 and therefore, no doubt, ordered more than 7 Years Penance for Polygamy; and further, in other Canons, the time of their Hearing and Co-ſtanding are mention'd, and ſo we reaſonably conclude they were here; but our Librarians have corrupted the Copies. *Balſ. Zon.* and *Ariſt.* read as we now do.

81. They who in the Invaſion of the *Barbarians*, have after long Torments, eat of magical things offered to Idols, and have ſworn Heathen Oaths, let them *not be received* for 3 Years, for 2 Years let them be *Hearers*, for 3 Years *Proſtrators*, ſo let them be received; but they who did it without force, let them *be ejected* 3 Years, be *Hearers* 2 Years, *Proſtrators* 3 Years, *Co-ſtanders* 3 Years, ſo let them be admitted to Communion.

To deny Chriſt, Can. 73. made Men lyable to Penance during Life; therefore to eat Meats offer'd to Idols, was not thought ſo great a Crime as to deny him.

Observe that the *Mourners* are called Persons *not received, and ejected.* See Note on *Can. Nic.* 11.

82. They who by force have been driven to Perjury, let them be admitted after 6 Years; but if without force, let them be *Mourners* 2 Years, *Hearers* 2 Years, the 5th Year *Prostrators*, 2 Years *Co-standers*.

See *Can.* 64.

83. They that follow Heathenish Customs, or bring Men into their Houses for the contriving Pharmacies, or repelling them, shall be 1 Year *Mourners*, 1 Year *Hearers*, 3 Years *Prostrators*, 1 Year *Co-standers*.

In the 65-72 *Can.* he teaches how they are to be treated, who do themselves use these Arts; here how they are to be treated who apply themselves to such Men.

84. We do not judge altogether by the length of time, but by the Circumstances of the Penance. If any Will not be drawn from their Carnal Pleasures, and chuse to serve them rather than the Lord, we have no Communication with them *.

* *i. e.* We do not admit them to Penance, they are as Heathen Men and Publicans.

85. Let us take care that we do not perish with them; let us warn them Night and Day, that we may deliver them out of the Snare, or however save our selves from their Condemnation.

Here

Here end the Canons contained in St. Baſil's *Letters to* Amphilochius, *but in thoſe Publiſhed by* Beveridge *and* Tilius, *there is added as follows.*

A Letter to Amphilochius, *containing*

Can. 86. Againſt the *Encratites*, who would not eat Fleſh.

87. One Letter to *Diodorus* containing a Preface.

88. Againſt Marrying two Siſters ſucceſſively.

89. A Letter to *Gregory* a Prieſt, that he diſmiſs his Woman which he kept when he was 70 Years of Age.

90. A Letter to his Village-Biſhops: He complains of the want of Diſcipline, of the multiplying of the Clergy, and that without due Examination and Enquiry into their Morals: That they had dropt the old Cuſtom, which was for the Prieſts and Deacons to recommend to the Village-Biſhop, who taking the Teſtimonial, and giving notice of it to the [City] Biſhop, did afterwards admit the Miniſter into the Sacerdotal Liſt: That the Number of the Inferior Clergy was unreaſonably increaſed, eſpecially in time of War, when Men got into Orders to avoid the Preſs: He orders a Liſt of the Clergy in every Village to be ſent to him, and who admitted him; If any have been admitted into the Inferior Orders by Prieſts, that they be look'd on as Lay-men. Let not who will put his

Name into the Liſt. Re-examine thoſe who are there, expel the unworthy, admit none without my Conſent for the future; if you do, he ſhall be counted a Lay-man.

91. One Letter to the Biſhops ſubject to him, wherein he prohibits to take Money for Orders; they had their Pay after the Ordination was perform'd: This he calls an *Artifice*, and declares, that he who is guilty of it ſhall depart from the Altars in his Country, and go buy and ſell the Gift of God where he can.

Another Letter to Amphilochius *containing*

Can. 92, 93. That we ought in the Doxology to mention the Holy Ghoſt. He juſtifies this by other Traditions, *viz. Signing Believers with the Sign of the Croſs*; *Praying toward the Eaſt*, to denote that we are in queſt of *Eden*, that Garden in the Eaſt from which our firſt Parents were ejected: *The Words of Invocation at the exhibiting the Euchariſtical Elements to the Communicant, Prefaces, Bleſſing the Water, Oil, and Perſon to be Baptized*; *the trine Immerſion, ſtanding at Prayers on Sundays, and the whole Pentecoſt.*

The CANONS of St. *Gregory Nyſſen.*

1. THAT at *Eaſter*, not only they who are Baptized, but they who are Penitents and Converts, are to be brought to God, *i. e.* to the Communion.

2. They

2. They who lapse without any force, so as to deny Christ, not to be admitted to Communion till the hour of Death; and if they chance to recover beyond Expectation, to return to their Penance: but they who were forced by Torments, to do the Penance of Fornicators.

3. If they who run to Conjurers or Diviners, do it thro' Unbelief, they shall be treated as they who wilfully lapse; but if thro' want of Sense, and thro' a vain hope of being reliev'd under their Necessities, they shall be treated as those who lapse thro' the violence of Torment.

4. That Fornicators be 3 Years wholly ejected from Prayer, 3 Years *Hearers*, 3 Years *Prostrators*, and then admitted to Communion; but the time of Hearing and Prostrating may be lessen'd to them who are earnest Penitents: That this time be doubled in Case of Adultery and unlawful Lusts; but Discretion to be used.

Here we may see the difference in the time of Penance in the Church of *Nyssa*, from that of *Cæsarea*, and in the manner of performing it; for here, and in the following Canons, there is no Mention of Co-standing.

5. Voluntary Murderers shall be 9 Years ejected out of the Church, 9 Years *Hearers*, 9 Years *Prostrators*; but every one of these 9 Years may be reduced to 7, 6, or even 5, if the Penitents be very diligent. Involuntary Murderers to be treated as Fornicators, but

still with Discretion, and allowing the Communion on a Death-bed, returning to Penance if they Survive.

6. That High-way-men returning to the Church be treated as Murderers: They that pilfer, and then confess their Sin to the Priest, are only obliged to Amendment, and to be liberal to the Poor; and if they have nothing, to labour and give their Earnings.

7. They who dig into Graves, and rake into the Ashes and Bones of the dead, in order to find some valuable thing buried together with the Corps, to do the Penance of Fornicators.

8. He thinks the Fathers too gentle, in imposing a shorter Penance on Sacrilege than Adultery.

Canonical Answers of *Timothy* Bishop of *Alexandria*, 380.

1. A Lad of 7 Years old, or a Man being a Catechumen, being present at the Oblation, did eat of it thro Ignorance, what shall be done in this Case? *A.* Let him be Illuminated, *i. e.* Baptized.

2. If Baptism be desired for a Catechumen that is possessed, what shall be done? *A.* Let him be Baptized at the Hour of Death, not otherwise.

3. Ought

3. Ought a Communicant to Communicate, if he be poſſeſſed? *A.* If he do not expoſe or blaſpheme the Myſteries, let him Communicate now and then.

4. If a Catechumen be ſo diſorder'd that he can't make Profeſſion of his Faith, can he be Baptized in his Life-time? *A.* He may if he be not poſſeſſed.

5. Can a Man or Woman Communicate after performing the Conjugal Act over Night. *A.* No. 1 *Cor.* vii. 5.

6. The Day was appointed for the Baptiſm of a Woman; on that Day it happen'd that the Cuſtom of Women was upon her, Ought ſhe then to be Baptized? *A.* No, not till ſhe be clean.

7. Can a Menſtruous Woman Communicate? *A.* Not till ſhe be clean.

8. Ought a Woman in Child-bed to keep the Paſchal Faſt? *A.* No.

9. Ought a Clergy-man to perform the Oblation, or Pray while an *Arian* or Heretick is preſent? *A.* Not except the Heretick promiſe to come to Penance, and renounce his Hereſy.

10. Is a Sick Man obliged to keep the Paſchal Faſt? *A.* No.

11. If a Clergy-man be called to Celebrate an Inceſtuous Marriage, Ought he to comply, and perform the Oblation? *A.* No, he muſt not be partaker of other Mens Sins.

12. If a Lay-man ask a Clergy-man whether he may Communicate after a Nocturnal Pollution? *A.* If it proceed from the

Desire of a Woman he ought not: but if it be a Temptation from Satan, he ought; for the Tempter will plie him when he is to Communicate.

13. When are Man and Wife to forbear the Conjugal Act? *A.* On *Saturday*, and the *Lord's-Day*; for on those Days the Spiritual Sacrifice is offer'd.

14. Shall there be an Oblation for him who being distracted, murders himself? *A.* Not except the Case be very clear that he was distracted.

The Reader is not from hence to conclude, that the Ancients believed a *Purgatory*; for in their Intercessions at the Altar they commemorated the greatest Saints, the Apostles, and the Blessed Virgin, whom even the *Romanists* themselves believe never to have been in Purgatory. They Prayed for increase of their Bliss, and that they with themselves might be Partakers of a Blessed Resurrection.

15. If one's Wife be possessed to such a degree as that she is bound with Irons, and the Man can't contain, may he Marry another. *A.* I can only say 'twould be Adultery so to do.

16 If a Man in Washing or Bathing swallow a drop of Water, may he Communicate after it. *A.* Yes.

17. Are they, who hear the Word and do it not, Damned? *A.* If we neither do it, nor repent that we have not done it.

18. At what Age are Sins imputed to us by God? *A.* According to every one's Capacity and Understanding, to one at ten, to another, when older.

The

The CANONS *of* Theophilus *Arch-Biſhop of* Alexandria, *about* A. D. 385.

His Edict.

1. BEcauſe the Faſt of *Epiphany* chances to fall on a *Lord's-Day*, let us take a few Dates, and ſo break our Faſt, and honour the *Lord's-Day*, and ſhew our diſlike of Hereſy, and yet not wholly neglect the Faſt which ſhould be obſerved on this Day; eating no more till our Evening Aſſembly at Three Afternoon.

The Sixth Day of *January* was certainly a Feaſt in the Ancient Church, as well as ours; See *Apoſt. Conſt. lib.* 5. *c.* 13. But as this Solemnity is expreſſed here, and in other Monuments of Antiquity, in the Plural Number in the *Greek*; ſo it is probable that they had Two Days that went by that Name, *viz.* the 5th and 6th of *January*; on the firſt they Faſted, the other they kept as a Feſtival. *Chriſtopher Angelus* reckons the 5th of *January* among the Solemn Faſts of the preſent *Greek* Church, *cap.* 18. The 6th is in all Churches a Feaſt.

His Commonitory to Ammon.

2. Let [the Prieſts] who have Communicated with the *Arians*, be retained, or rejected, as the Cuſtom of every Church is; if they did it of their own accord, let them be cenſured; but if they only

did it in Obedience to the Biſhop, let them be continued: But if all the People Abdicate them, others muſt be Ordained. And if *Biſtus*, the Prieſt, be found to have committed Uncleanneſs with a Woman diſmiſs'd from her Husband, let him not be permitted to be a Prieſt: But this is no prejudice to the Biſhop who Ordain'd him, if he did it ignorantly.

3. Let Biſhop *Apollo*'s Sentence againſt his Prieſt *Sur* prevail; tho' he has the liberty of Appealing.

4. If *Panuph* the Deacon, Married his Brother's Daughter before Baptiſm, let him continue among the Clergy, if ſhe be dead, and he had not to do with her after his Baptiſm.

5. If it do evidently appear, that *Jacob*, while he was Reader did commit Fornication, and was ejected by the Prieſts, and yet afterwards Ordained, let him be ejected, and not otherwiſe.

This is the only Inſtance I meet with, where Prieſts are mentioned as paſſing Cenſure without their Biſhop, probably 'twas *Sede vacante*.

6. That all in Holy Orders unanimouſly chuſe thoſe who are to be Ordain'd, and then the Biſhop examine [them;] or that the Biſhop Ordain them in the midſt of the Church, all that are in Holy Orders conſenting, and the Biſhop asking the People, who are then to be preſent, whether they can give their Teſtimony [to the Parties

ties to be Ordained;] and that Ordination be not perform'd in private.

All that are in Holy Orders, Gr. πᾶν ἱερατεῖον, that is, Priests and Deacons.

7. Let the Clergy and Communicants eat and Drink what is left of the Oblation, not the Catechumens.

One would think they did not usually reserve the Eucharist in the Church of *Alexandria*, at least in this Age.

8. In relation to *Hierax*, the Priest, whose Case was much the same with *Bistus*, Can. 2.

9. That the *Oeconomus* be Chosen by the whole Clergy, with the consent of the Bishop.

See *Can. Chalc.* 2.

10. That the Widows, Poor, and Travellers be not disturbed; and that no one make a Property of the Goods of the Church.

These following are also inserted among the Canons *of* Theophilus, *tho' not Numbred.*

THat [Clergy-men] from the *Novatians*, becoming Proselytes, be Ordained, if they be of good Lives: For the Synod of *Nice* has so determined.

'Tis

'Tis clear, that *Theophilus* was of Opinion, that *Novatian* Clergy-men were on their Converſion to be Re-ordained; and he lived near the time of the Synod of *Nice*, and knew how that Canon was underſtood, and in what manner the Canons of it were executed: Therefore Mr. *C.* ought not to be confident in this Point; at leaſt I will not be ſo, tho' I have given another Senſe of the 8th Canon of *Nice*, after Biſhop *Beveridge*.

Whereas *Maximus* has for Ten Years lived in unlawful Marriage, but pretends, that 'twas thro' ignorance, and that they are now parted by mutual Conſent; let them * *ſtand among the Catechumens*, if it appear that they be in earneſt.

* *i. e.* Be *Hearers*, and ſo admitted to Penance. See *Can. Nic.* 11.

Whereas *Cyradium* (a Woman) ſtands Excommunicated for wrong that ſhe has done, but now deſires the Communion: If ſhe deſiſt, and repent, let her Communicate.

Then follows a Canonical Letter of Cyril *Arch-biſhop of* Alexandria, *about the Year* 412, *to one* Domnus.

THIS Letter contains a Complaint of one *Peter*, Depoſed from his See, yet retaining the Character of a Biſhop, who thought his Cauſe good, but complains that he had not time and opportunity given him for

for his Defence; and that whatever he had was taken away from. He deſires *Domnus*, who was a Metropolitan, that he would call a Synod, and let him have a hearing. He thinks it very hard, that not only what belong'd to the Church, but every thing elſe was taken from him; and complains, that all Biſhops were call'd to account for every thing they receiv'd, whether from the Church, or by any other means. *Peter* had indeed Signed an Inſtrument of Reſignation; but *Cyril* ſays, that he was terrified into it; and that he would have no ſuch Reſignations be of force, except he that made them deſerved Depoſition.

There is another Epiſtle of the ſame Father, complaining to the Biſhops of *Libya* and *Pentapolis*, that ſome who had been refuſed Ordination by their own Biſhop, or caſt out of the Monaſteries for Irregularity, were Ordained by a Surpriſe upon ſome other Biſhop, and that juſt as they came from their Bride-bed; and then went and Officiated in the Monaſteries from which they had been ejected, which gave great offence. He charges the Biſhops to take care of this for the future; and orders that Catechumens, who had been * ſeparated for lapſing, be Baptized at the hour of Death.

* Χωρισμὸν ὑπομένοντ]ες, *i. e.* I ſuppoſe obliged to ſtand amongſt the *Mourners*.

The

The Canon of Scripture in Verse by St. Gregory [Nazianzen] *the Divine; about the Year of our Lord* 375.

HE reckons in the *Old Testament* 12 Books of History, *viz.* 5 of *Moses*, *Joshua*, *Judges*, *Ruth*; 2 of the *Kings* [*viz.* 2 of *Samuel*, 2 now called *Kings*,] *Esdras*, [to which *Nehemiah* was formerly thought an Appendix] the *Chronicles*, [which he takes for one Book.]

He reckons 5 Poetick Books, *viz. Job* the *Psalms*, *Ecclesiastes*, the *Song of Songs*, *Proverbs*.

He reckons 5 Books of Prophets, *viz.* the 12 *Minor Prophets*, [which with him are all One Book] *Isaiah*, *Jeremiah*, *Ezekiel*, *Daniel*; in all 22, according to the Number of the *Hebrew* Letters.

The Canon of the New Testament, *as now commonly received with us.*

He says, *Matthew* wrote his Gospel for the *Jews*, *Mark* for the *Italians*, *Luke* for the *Grecians*, *John* for All; only there is no mention of the *Apocalypse*.

Nor do's he take notice of *Esther*, nor of the *Apocryphal* Books.

The Canon of Scripture according to Amphilochius, *Bishop of* Iconium *in* Lycaonia, *about the Year* 380, *or* 90.

HE divides the Books of Scripture into Three Classes. Some

Some are false, others of a middle sort, and near Neighbours to the true. By the false he means probably the Gospel of the *Nazarens*, and the many false Gospels then familiarly known; by the middle sort what we now commonly call *Apocryphal*. The true, says he, are, the *Pentateuch*, *Joshua*, *Judges*, *Ruth*, the 4 Books of *Kings*, 2 of *Chronicles*, 2 of *Ezra* [the latter of these we call *Nehemiah*] the 5 Poetick Books, as in the Canon of *Gregory Nazianzen*, the 12 lesser Prophets, the 4 greater. Some, says he, add *Esther*. In the *New Testament*, the 4 *Evangelists*, the *Acts*, the 14 Epistles of St. *Paul*; some, says he, call that to the *Hebrews*, *spurious*, but he asserts it Genuine. Some, says he, receive 7 Canonical Epistles, but others only 3, *viz.* that of *James*, the first of *Peter*, the first of *John*. Some, says he, add the Apocalypse of *John*, but more say that 'tis *spurious*: Whereas the Catalogue of the Genuine Books of Holy Scripture is drawn up by several in this Age, as by the Synod of *Laodicæa*, by St. *Gregory*, &c. The Reader ought not from hence to inferr that the Number of the Books of the *New Testament* had not before been fix'd by others. The Synod of *Laodicæa* so words the Canon relating to this matter, as plainly to intimate, that the Number of Genuine Books had been settled long before; for what can they mean by calling some Books *Canonical*, others *Un-canonical*, or more literally, *Un-canonized*,

zed, but that ſome had been received, others rejected; and their Buſineſs was not to fix the Number, ſo much as to prohibit any to be read, that were not of the Number. *Tertullian*, who flouriſhed, *A. D.* 190, tells us of *many numerous Councils held in* Greece, *de Jejuniis*, *Cap.* 13. And that they had this very Buſineſs under Conſideration, appears in his ſaying, that *Hermas* the Paſtor was rejected by every one of them *de Pudicit. Cap.* 10. The 85th Canon call d *Apoſtolical*, was undoubtedly drawn by one of thoſe Canons, received by the reſt.

Some will have it that *Gregory Nazianzen* drew up this Canon as well as the former.

A Circular Epiſtle of Gennadius, *Patriarch of* Conſtantinople, *A. D.* 460.

IF any Biſhop Ordain, or make a Church Officer for Money, *&c.* to the ſame purpoſe with the 2d Canon of *Chalcedon*, and almoſt in the ſame Words; and note, that tho' the Epiſtle be only in the Name of the Patriarch, yet 'twas an Act of Synod, as you'll ſee by reading the latter part of the Letter, which in the *Oxford* Edition, and others, is Printed as a Note of *Balſamon*, as Dr. *Cave* judiciouſly obſerves; and it was Subſcribed by 73 Biſhops.

The

The CANONS of the Synod of *Trullus* (*a Cupolo* in the Emperor's Palace) at *Conſtantinople*, An. 683.

THIS is by others called the *Quin-Sextine* Council, as being called to ſupply the Defect of the 5th and 6th General Councils, which made no Canons. The *Greeks* aſſert, that it was a General Council, and that the Legates of the Pope were there and Subſcribed it; but the *Latins* deny it, and the Reaſons they have for it will appear by the following Canons: But let it be obſerved that theſe 102 Canons are cited by the 2d Council of *Nice*, (the darling Council of the *Papiſts*) Act. 4, 5, 6; and Pope *Adrian* I. in his Epiſtle to *Taraſius* ſays, that *he receives the 6th Council with all its Canons*, by which he can mean no other but theſe; for the 6th Council, as diſtinguiſhed from this, made no Canons. *Nicholas* the Firſt, in an Epiſtle to *Michael* the *Greek* Emperor, ſays *they were confirmed by Pope* John *the Seventh, at the Requeſt of the Emperor* Juſtinian *the Second*. Beſides *Gratian* attributes them to the 6th Council, and ſo does the [*Popiſh*] Council of *Florence*, all which was ſo convincing to *Caranza*, that he ſets them down as the Canons of the 6th Council, of which this *Trullan* Synod was a Continuation; See the moſt learned *Examination of the Authority*

thority of General Councils by Mr. Jenkins, *p.* 14, 15. *Richerius* obſerves that Pope *John* allow'd all the 85 Canons of the Apoſtles, and gives this Reaſon for it, *viz.* that *they were received by this Synod*, Vol. I. p. 660.

1. Confirms the Doctrine of the 6 firſt General Councils.

2. Confirms all the Canons of Councils and Fathers contained in this Volume: It mentions likewiſe a * Canon of St. *Cyprian* formerly obſerved, and allows of no others.

* This is the ſame with the $\frac{39.}{47.}$ of the *Apoſtolical Can.* See *Matth. Blaſt. Præf. Syntag.*

3. Rejects the Law againſt Clergy-mens retaining their Wives, which prevailed in the *Roman* Church, but at the Direction of the Emperor: Depoſes thoſe Clergy-men who having Married a ſecond Wife, have not repented of their Sin of Ignorance before the 15th of *January* laſt: They who have, or whoſe ſecond Wife is dead, are admitted to the Honour and Precedence, * of Prieſts, and Deacons, after a ſhort Penance, but not to officiate: They that have but once Married a Widow, or that have at all Married after Ordination, are after a ſhort Penance, admitted to the Order they were in before, but forbid any Promotion, and then they re-eſtabliſh the $\frac{14.}{18.}$ *Ap. Can.* againſt Clergy-

Clergy-men's Marrying Widows, *&c.*

* προεδρία.

4. If any Bishop or Clergy-man lie with a Nun he is Depos'd; if a Lay-man, Excommunicated.

5. Renews the 3d Canon of *Nice*, not only against Clergy-men, but Lay-men, and even Eunuchs.

6. Renews the $\frac{19.}{27.}$ *Ap. Can.* under pain of Deposition; adds, If any of them will be Married, let him do it before he be Ordain'd Sub-Deacon.

7. That a Deacon, tho' he be dignified, shall not take place of a Priest, unless in some foreign City he represent the Person of a Metropolitan, or Patriarch; he that does, shall be the last of his Order, even in his own Church; and this shall be observed by all Orders of Clergy-men.

Dignified, i. e. have some of those Offices mention'd, *Can. Chalc.* 2. See *Can. Nic.* 18.

8. An Annual Synod of Bishops, to be called by the Metropolitan where he pleases, between *Easter* and the End of *October*.

See *Can. Afr.* 18. *Ap.* 30. *Nic.* 5. *Chalc.* 19. 21. 38.

9. That a Clergy-man don't keep a Victualling House, upon pain of Deposition.

10. Renews the 17th Canon of *Nice* against Clergy-men that are Usurers.

11. Renews Can. 37, 38. of *Laodicæa*, and forbids Clergy and Laity *Jewish* Physicians.

12. That

12. That Biſhops may not co habit with their Wives upon pain of Depoſition; not that we ſet aſide the Apoſtolical Conſtitution, but that we may not give Offence, as the Biſhops in *Africa* and *Libya* have done.

Apoſtolical Conſtitution, that is, *Can. Ap.* 3. 6.

13. That Prieſts, nor any of the Inferior Orders, be forbid to co-habit with their Wives, except at their times of Miniſtration, according to the Canons of *Carthage*, with a Non-obſtante to the Practice of the Church of *Rome*.

See *Can. Afr.* 3, 28.

14. That a Prieſt be not Ordained before 30, a Deacon before 25, a Deaconeſs before 40.

15. A Sub-Deacon not before 20. The Penalty of this and the former Canon is Depoſition.

16. Sets aſide 14th Canon of *Neo Cæſarea*, concerning the Number of Deacons, aſſerting, that the Deacons Ordained *Ac.* VI. were not Deacons of the Holy Myſteries, but only Tenders at Tables.

17. Againſt Clergy-men removing to other Churches without the Biſhop's Dimiſſory Letters.

18. They that are forced away from their Churches by the Invaſion of *Barbarians*, are to return when that force is over, upon pain of Depoſition, both to the Clergyman, and to the Biſhop that retains him.

19. That

19. That the Preſidents Preach to the Clergy and Laity every Day, eſpecially the *Lord's-Day*, but expound no place of Scripture otherwiſe than the Fathers have done.

Preſidents, i. e. Biſhops, or Prieſts in the Biſhop's Abſence; for then they Preſided. Prieſts frequently Preached in the *Greek* Church, tho' not in the *African*, but never any where without the Appointment of the Biſhop. The Caſe of Parochial Prieſts with us differs in ſome meaſure from that of the Ancient Church; for they are *by the Biſhop entruſted with the Cure of Souls* under the Biſhop in ſome particular Place, and are by virtue of that Commiſſion, empower'd to Preach in their own Churches; and this Alteration proceeds from the Parochial Settlement, which obtained not in the Primitive Church.

20. That no Biſhop Preach in the City of another, under pain of being degraded to do the Office of a Prieſt only.

21. Let Clergy-men Depoſed, who repent and amend their fault uſe the Clerical Tonſures; let them that do not, wear long Hair, like Lay-men.

22. They who are Ordained for Money Depoſed, and the Biſhops who Ordained them.

23. That no Biſhop, Prieſt or Deacon, demand Money or any thing from the Communicant on account of his Communicating; for Grace is not to be Sold, but freely imparted without any Trick. He that does it, let him be Depoſed, as a Follower of *Simon*.

24. For-

24. Forbids Horſe-Races and Stage-Play. Muſick to Clergy-men enforces the 53, 54. Canon of *Laodicæa*, under pain of Depoſition.

25. Renews the 17th Canon of *Chalcedon*, againſt the Biſhop who claims a *Pariſh* not claimed by him or his Predeceſſors for 30 Years paſt.

26. Renews the 27th Canon of St. *Baſil*, and commands the Prieſts, who have thro' Ignorance Married to near Relations, to be content with their * Honour only, not to officiate.

* προεδρίαν.

27. That Clergy-men neither in City nor on the Road uſe any Habit, but ſuch † Gowns as have been ordered, under pain of one Week's Suſpenſion from Communion.

† σπλαί.

2.

28. Renews the 4. *Apoſtolical Canon*, that Grapes are to be bleſſed only as firſt Fruits, not as any part of the Oblation, nor to be diſtributed with the Conſecrated Elements.

29. The Synod of *Carthage* gives leave on *Maunday Thurſday* to eat before the Holy Myſteries of the Altar be performed: We do not allow this; for 'tis a Profanation of the *Lent Faſt*.

See *Afr. Can.* 44. *Laod.* 50.

30. That

30. That Prieſts among the *Barbarians* having, by mutual Conſent, parted with their Wives, be indulg'd, tho' contrary to the Apoſtolical Canon; and that they ſhall not Co-habit with them; becauſe of the narrowneſs of their Souls, and averſion to a civiliz'd Life.

See *Can. Ap.* 3. 6.

Balſ. ſays, that he had ask'd ſeveral *Ruſſian* Biſhops, whether their Prieſts took the Advantage of this Canon, and liv'd a-part from their Wives? and was Anſwered, That they did not.

31. The Clergy-men who without the Biſhop's Conſent, perform the Liturgy, that is, the Euchariſt, or Baptize in Oratories belonging to their Houſe are Depoſed.

32. Againſt the *Armenians* who put no Water into the Chalice, but offered Wine only; againſt them the Synod quotes the Liturgies of St. *James*, and St. *Baſil.*

Balſ. will have it, That the *Romaniſts* are to blame in uſing cold Water; becauſe the Water that came out of our Saviour's Side muſt have been warm: and this repreſents the enlivening Power of the Myſtery.

33. Againſt the *Armenians* who entail'd the Prieſtly Office on certain Families, and whoſe Inferior Clergy had not the Tonſure.

34. Renews the 18th Canon of *Chalcedon* againſt Conſpiracies.

35. That the Metropolitan muſt not Seize the Goods of a vacant Church to his own

own uſe; but the Clergy muſt keep them till there be a Succeſſor; or, if there be no Clergy, the Metropolitan muſt do it.

See 22. *Can. Chalced.*

36. Renews the 2d and 3d Canon of *Conſtantinople*, 28th of *Chalcedon*, *viz.* that the Throne of *Conſtantinople* have equal Privilege with that of *Rome*; and that he be next after him in all Eccleſiaſtical Matters; then he of *Alexandria*, next he of *Antioch*, after him he of *Jeruſalem*.

37. That no Biſhops receive any prejudice, becauſe they are forc'd from their Sees by *Barbarians*; but that their Ordinations be valid, and their Authority allowed.

We are inform'd by *Balſ.* That ſuch Biſhops as could not reſide in their Dioceſſes, had the Government of ſome Monaſtery, or Hoſpital, granted him, and there liv'd with his Prieſts and Clergy.

38. Renews the latter Part of the 17th Canon of *Chalced.* That the Eccleſiaſtical Bounds [of Provinces and Dioceſſes] follow the Civil Pattern.

Balſam. proves from this Canon, that Emperors have the Power of Erecting new Biſhopricks and Metropolitans.

39. That the Privileges granted by the Synod * of *Epheſus* to the Metropolitan of *Cyprus* be preſerved: That *Juſtinianopolis* have

have the ſame Right with *Conſtantinople*: That *John*, our Brother, driven from his See by the *Barbarians*, have Juriſdiction over the Province of *Helleſpont*: and that the Metropolitan be Ordained by his own Biſhops; and that the Biſhop of *Cyzicum* be ſubject to him.

See 8th *Can.* of *Eph.*

40. None muſt be a Monk before 10 Years of Age, nor then, except the Biſhop upon Examination judge him fit. St. *Baſil* would have none profeſs Virginity before Seventeen; and a Widow or Deaconeſs, muſt, according to St. *Paul*, be Sixty: But as the Canon has ſhortened the Age of the latter to Forty; ſo do we that of the former in proportion.

41. They who affect to be *Anchorets*, ſhall firſt for Three Years be confined to a Cell in a Monaſtery; and if after this, they profeſs, that they perſiſt, let them be examined by the Preſident; let them live One Year at large, and if they ſtill approve their firſt choice, let them be confined to their Cell, and not be permitted to go out of it, but by conſent; and Benediction of the Biſhop, in caſe of great neceſſity.

Preſident, probably the Biſhop, who is often Stiled πρόεδρος; or elſe the Abbot.

42. That Hermits who ſtrowl up and down in Towns, in black Habits and long Hair, and converſe freely with both Sexes,

be either ſhorn and go into ſome Monaſtery, or be driven into the Wilderneſs from whence they have their Names.

43. Whatever Fault a Man has been guilty of, he may be a Monk; for their Life is a State of Penance.

44. A Monk Marrying, or committing Fornication, ſhall do the † Penance of a Fornicator.

† *i. e.* Seven Years. See *Can. Baſ.* 59.

45. The Cuſtom of ſome Monaſteries, of dreſſing the Nun, who comes to be Veiled, in a very gay Habit, and then to ſtrip her of all her Gallantry at the Altar, before ſhe put on her Weeds, is forbidden.

46. Let the Nuns, and Monks, be Puniſhed, who go Abroad without the Bleſſing; (*i. e.*) Leave of their Superior: eſpecially if they ſtay out all Night.

47. Let not a Man Lodge in a Monaſtery of Women; nor a Woman in a Monaſtery of Men, under pain of Excommunication.

48. Let the Wife of a Biſhop, parted from him by mutual conſent, be kept in a Monaſtery, far diſtant from the Biſhop, at his Charge; or, if ſhe be capable, be made a Deaconeſs.

49. Renews the 24th Canon of *Chalced.* againſt alienating Monaſteries, *&c.*

50. Renews the $\frac{35}{43}$ *Can.* of the *Apoſtles,* againſt Playing at Dice.

51. For-

51. Forbids Actors of Farces, Baiting of Beaſts with Dogs, and Dancing upon the Stage. The Clergy-man who do's this is Depoſed, the Lay-man Excommunicated.

52. Renews the 49th *Can.* of *Laod.* and orders the Euchariſtical Liturgy on every Day in *Lent*, but *Saturday* and *Lord's day*, to be performed with the * Elements, that have been Conſecrated before.

* This is the *Miſſa præſanctificatorum.*

53. Forbids the Godfather to Marry the Mother of the Infant for whom he Anſwers. They that have done ſo, muſt firſt be Separated, then do the Penance of Fornicators.

'Tis clear, that this practice came from the State into the Church. The Imperial Law forbad the adoptive Parent to Marry his or her adopted Son or Daughter: For the God-Child was thought a Sort of an adopted Child.

See *Juſtin. Inſtitutes*, L. 1. Tit. 10.

54. Marriage of the Brother's Daughter, of the Father and Son, or Two Brothers, with the Mother and Daughter, or with Two Siſters, is forbidden, upon pain of Seven Years Penance, and the Couple to be Parted.

55. They enforce the $\frac{64}{56}$ *Ap. Can.* Depoſing the Clergy-man, Excommunicating the Lay-man that Faſts on *Saturdays*, except on *Eaſter-Eve*, even in the Church of *Rome* itſelf.

Balſ. obſerves that this is One great Reaſon why the *Romaniſts* reject theſe Canons.

56. Againſt the *Armenians*, and others, who eat Eggs and Milk on *Sabbath-days* and *Lord's-days* in *Lent*; which it forbids upon Pain of Depoſition to Clergy-men, Suſpenſion from Communion to Lay-men.

From this Canon it is clear, that tho' the *Greeks* pretend not to Faſt on *Saturday* and *Sunday* in *Lent*, yet they really exerciſe as much Self-denial on thoſe Days, as the *Latins* do on any other: For they eat no Eggs nor Milk, nor conſequently any Fowls nor Fleſh, on thoſe Days (as the Canon at large do's expreſly teach us.) The only difference that the *Greeks* made betwixt theſe Two Days and the other Five, was, that on thoſe they allowed themſelves Oil and Wine, but not on the reſt; and this is the Practice of the *Greek* Church to this Day, if we may believe *Chriſtopher Angelus*, c. 11. p. 13. Now the *Romaniſts* are indulged Wine and Oil, through the whole *Lent*.

57. Againſt Offering Hony and Milk.

See *Can. Apoſt.* 2.

58. That no Lay-man take the Sacred Myſteries himſelf in preſence of a Biſhop, Prieſt or Deacon, upon pain of One Weeks Excommunication.

This is to be underſtood of the Euchariſtical Elements reſerved in the Church after the Celebration, according to the practice of that Age.

59. That

59. That none be Baptized in Oratories belonging to Houſes; but that they who deſire Illumination, go to the Catholick Churches, upon pain of Depoſition to a Clergy-man, Excommunication to a Lay-man.

A Novel of *Leo*'s the Emperor contradicts this Canon; yet ſays *Balſ.* the matter is ſo compounded by another Law, that if any one Baptize ſo, who is forbid by the Biſhop, the Canon takes place; but if the Biſhop be ſilent, the Novel takes place. *Balſ.* in *Can.* 31.

60. They that feign themſelves poſſeſſed with a Devil, ſhall be as * ſeverely treated in all reſpects, as they who are really poſſeſſed.

* That is, confined, chained, *&c.*

61. Decrees Six Years Penance for Conjurers, and thoſe that are called Captains of Hundreds, and thoſe that become Scholars to ſuch; and likewiſe to thoſe who carry about † She-Bears, or other Animals, and put upon the Multitude by the frequent repeating of the Words, *Fortune*, *Fate*, *Genealogy*; and who Prognoſticate by the Clouds, and Charmers: if they obſtinately perſiſt, they are thrown out of the Church.

† Pretending that the Hair of thoſe Bears, or Toys tied to them, are Remedies againſt Witchcraft, ſays *Balſam.*

62. The Lewd Festivities on the Kalends, and * Feasts in honour to the God *Pan*, the publick mystick Dancings both of Men and Women, Tragical and Comical Masks, and that either Sex wear the Habit of the other, and the Bacchanalia, are forbidden upon pain of Deposition to the Clergy, Excommunication to the Laity.

* So I Translate the Word Βοσὰ, according to *Balf.*

63. The false Legends of pretended Martyrs are voted to the Flames, and they who adhere to them are Anathematized.

64. That Lay-men do not usurp the Authority of Teaching in Publick, upon pain of Forty Days Excommunication.

65. The observing the New Moon, by Mens making Fire before their Doors, and leaping on them, is forbidden, upon pain of Deposition to the Clergy, Excommunication to the Laity.

66. That from *Easter-Day* to the † *New Lord's Day*, Men shall attend at Church to Singing, Reading Scripture, and injoying the Holy Mysteries; therefore let no Horse-Races or Publick Shews be on these Days.

† i. e. *Low-Sunday.*

67. Abstaining from Bloud and strangled Animals, is injoined, upon pain of Deposition to the Clergy, Excommunication to the Laity.

68. They

68. They that tear, or cut the Books of the *Old* or *New Testament*, or of the Holy Doctors, or sell them to Depravers of Books, or Apothecaries, or any one who will make away with them, unless they be worn out and useless, is Excommunicated for a Year; they that buy them, except to keep, or sell again for the Benefit of themselves or others, or go about to corrupt them, let them be Excommunicated.

69. That no Lay-man come within the Holy Chancel, except the Emperor, when he comes to make his Offering according to Tradition.

70. That Women ought not to speak in time of the Divine Liturgy, according to the Apostle.

71. That they who study the Civil Law, use no Heathenish Customs, go not into the Theater, nor meddle with Athletick Exercises, nor wear any but the common Gown *, upon pain of Excommunication.

* 'Tis most probable, that the Scenical Habit of Actors on the Stage is here forbidden.

72. The Marriage of an Orthodox Person with an Heretick is null; the Orthodox must part, under pain of Excommunication, unless Married before her or his Conversion.

73. The Sign of the Cross made on any Pavement is to be effaced, lest it be trampled upon; and they that make it for the future, are to be Excommunicated †.

† That is, says *Balsamon*, if they do it out of spight and on purpose, that it may be dishonoured by being trodden under foot.

74. The 28th Canon of *Laodicæa*, against Love-Feasts in Churches enforced, under pain of Excommunication.

75. That Singers in the Church avoid all Yellings and Vociferations, and do their Business with Attention and Affection.

76. That Shops ought not to be placed within the Verge of the Church, under pain of Excommunication.

77. That no Clergy-man, Ascetick, or Christian Bath with a Woman, under pain of Deposition to the Clergyman, Excommunication to the Lay-man.

78. Renews the 46th Canon of *Laodicæa*, that the Person to be Baptized rehearse the Creed.

79. Against those who baked a Cake presently after *Christmas*, and eat it with their Friends in Honour to the Virgins Lying-in. 'Tis forbid under pain of Deposition to a Clergy-man, Excommunication to a Lay-man.

80. The Canon cited in the 11th Canon of *Sardica*, against those who neglected the Communion for 3 *Sundays* together, is renewed; and if the Clergy-men be guilty of it, except thro' necessity, he is Deposed.

81. Against those Hereticks who add those Words in the *Trisagium*, *who wast crucified for us*.

The

The *Triſagium*; that is, *Holy, Holy, Holy*, &c. juſt after the Preface in the Communion-Service, is addreſſed to the Father, or to the whole Trinity, and therefore 'twas heretical to add theſe words, *for the Son alone was crucified.*

82. Whereas among the Venerable Pictures the Lamb is repreſented as pointed at by the Finger of his Fore-runner [*John* the Baptiſt] which is only a Symbol, or Shadow: We, having due regard to the Type, but preferring the Anti-Type, determine that he be for the future deſcribed more perfectly, and that the Portraicture of a Man be made inſtead of the old Lamb: that by this we may be reminded of his Incarnation, Life and Death.

Pictures, not Images, were in requeſt in this Age, and in the Year 596. *Bede* deſcribes *Auſtin* the Monk making his firſt Entrance into *Canterbury with the Croſs, and a Picture of Chriſt carried before him, and ſinging a ſhort Litany.*

83. Renews the 20th *African* Canon againſt giving the Euchariſt to dead Corpſes.

84. Renews the 76th Canon of *Africk*, for Baptizing Children whoſe Baptiſm is uncertain.

85. That Manumiſſion of Slaves before 3 Witneſſes be good.

86. That they who keep filthy Women for the enſnaring of Souls; if Clergy-men, be Depoſed; if Lay-men, Excommunicated.

87. A Woman leaving her Husband is to be puniſhed; but he ſhall be admitted to

Communion. He that detains an Adulteress is impious: He that leaves his own Wife and takes another, is an Adulterer. By the Canon of our Fathers, such a one must be a *Mourner* 1 Year, a *Hearer* 2, 3 Years a *Prostrator*, the 7th a *Co-stander*, and then be vouchsafed the Oblation, if he repent with Tears.

Here Discipline is relaxed, formerly Adulterers did 14 Years Penance.

88. He that carries a Beast into the Church, except to save it from perishing; if a Clergy-man, is Deposed; if a Lay-man, Excommunicated.

89. That the faithful Fast on * the Days of our Saviour's Passion, till the Midnight of *Easter-Eve*.

See Canons of *Dionysius* of *Alexandria*.

* Bishop *Beveridge* says the whole Passion Week 1st after *Sunday*.

90. Renews the 20th Canon of *Nice*, and adds that Christians Pray Standing, from the Beginning of Even-Song on *Saturday*, to the Beginning of Even-Song on *Sunday*, at which time they are to Kneel.

91. She that procures Abortion shall be punished as a Murderer.

92. They who steal Women under Pretence of Marriage, are Deposed if Clergy-men, Anathematized if Lay-men. 28th of *Chalcedon*.

93. Re-

93. Renews the 31, 36, 46, of St. *Baſil*, concerning the Marriage of Women whoſe Husbands have been long abſent.

94. The Canon (*viz.* 81. of St. *Baſil*) inflicts Penance on them who Swear Heatheniſh Oaths, and we Decree Excommunication againſt them.

95. Renews the 7th Canon of the Second General Council at *Conſtantinople*, concerning receiving Hereticks; and adds, We receive *Manichæans*, *Valentinians*, and *Marcioniſts*, as *Eunomians*, &c. *viz.* by Re-baptizing them; but *Neſtorians* we receive as *Arians*, *viz.* upon Signing an Inſtrument, and Anathematizing *Neſtorius*, *Eutyches*, *Dioſcorus*, *Severus*, and the reſt of the Arch-Hereticks, *&c.*

'Tis to be obſerved that all who were to be Re baptized, were ſuch as did not Baptize in the Name of the Trinity; they who did were admitted without being Re-baptized.

96. Excommunicates thoſe who wear long and artificially curled Hair, thereby to enſnare the Beholders.

97. Excommunicates thoſe who co-habit with their Wives in Conſecrated Places; or who put them to a common uſe, and orders that they be expelled from the *Catechumenia*; and if Clergy-men, Depoſed.

Catechumenia, the lower part of the Church where the Catechumens ſtood, like our Belferies, which *Balſamon* ſuppoſes were (at ſome places) inhabited.

98. She

98. She who is betrothed to one, and in his Life-time Marries another, is guilty of Adultery.

99. Excommunicates the *Armenians*, if they continue their Practice of Boiling Fleſh in the Chancel, and giving part to the Prieſt in imitation of the *Jews*; and ſays, the Prieſts muſt be ſatisfied with ſuch Offerings of this ſort, as are made to them, when they are now in the Church.

100. He that makes laſcivious Pictures, let him be Excommunicated.

101. That Men take the Euchariſt into their own Hands, holding them in the form of a Croſs: That they who bring little Veſſels of Gold, or other Metal, and don't receive the Euchariſt into their own Hands, be ſuſpended from Communion; as alſo he that gives them the Euchariſt in this manner.

102. They who have the Power of binding and looſing, and are intruſted with the Principal Paſtorſhip, muſt conſider the Quality of the Offence, and the Diſpoſition of the Penitent, and temper the Spiritual Medicine according to St. *Baſil*'s Rule, *viz. where Rigour will not do, to uſe as much tenderneſs as the Practice of the Church will admit of.*

DECREES

DECREES of Pope *Siricius* the firſt, Collected by *Dionyſius Exiguus*, and afterwards added to the Code of the *Roman* Church: Theſe *Decrees* were made about *A. D.* 385.

1. HE charges *Himerio*, Biſhop of *Terracon* in *Spain*, not to Baptize converted *Arians*, but receive them by Impoſition of Hands, according to the Decree of his Predeceſſor *Liberius*, and the Conſtitution of that Synod (*Conſtantinopolitan* General) under pain of being ſeparated from our College by Sentence of Synod.

2. That Baptiſm be given, not at *Chriſtmas*, *Epiphany*, or on the Feſtivities of the Apoſtles or Martyrs, but only at *Eaſter*, and *Pentecoſt*, after 40 Days Notice and Preparation, but at any time to Infants, and Perſons in danger.

3. That they who Apoſtatize to Idolatry be Excommunicated, and not received till the Hour of Death.

To Apoſtatize now in times of Peace without any Temptation was groſly criminal.

4. That no one pretend to Marry a Maid betrothed to another Man, becauſe (ſays he) 'tis a ſort of Sacrilege to violate the Benediction of the Prieſt paſſed upon one that is to Marry.

For-

Formerly the Eſpouſals and the Marriage Contract were two things, and performed at two different times.

5. Incontinent Perſons relapſing after Abſolution are obliged to be *Co-ſtanders*, firſt in Prayer, afterwards at the Holy Myſteries, and at laſt to be allowed to receive them.

5. Incontinence between Monks and Nuns puniſhed by Excommunication and Impriſonment, and not to be Communicated till the hour of Death.

6. Biſhops, Prieſts or Deacons, uſing their Wives, or other Women upon their Confeſſion, are allowed to remain in their former Order, but to be uncapable of any other; but they who juſtify themſelves by the Example of the *Aaronical* Prieſts Marriage, are Depoſed; and ſo is every one who ſhall be guilty of it for the future.

9, 10, 11. He that would be Ordained ought to be Baptized before he be Adult, and then be a Reader; and to have had but one Wife, and ſhe a Virgin; Married with the Benediction of the Prieſt, and to live with her only till he be thirty Years of Age; then, if he be fit, to be Ordained Deacon; after 5 Years commendable Miniſtration, a Prieſt; and in ten Years more, a Biſhop. He that is converted ſince he is come of Age, and intends to be a Clergyman, muſt from the time of his Baptiſm become a Reader, muſt never have had but one Wife, and ſhe a Virgin; and having

ſpent

ſpent 2 Years as a Novice, in the following 5 Years he may be made an Acolyth and Sub-Deacon, and then Deacon; and afterwards Prieſt and Biſhop, by the Election of Clergy and People: But he that Marries a Widow, or however a ſecond Wife, let him be deprived of all Eccleſiaſtical Dignity.

12. Enforces the 3d Canon of *Nice*, againſt Women living with Clergy-men.

13. Monks of good Faith and Manners may be Ordained, ſtaying in the Inferior Orders till 30 Years of Age, but not be made Biſhops *per Saltum*; but continue in every Order according to the times prefixed. *Decree* 10, 11.

14. That none who have done Penance be ever made Clergy-men.

15. They that having done Penance, or Married twice, or to a Widow, were afterwards ſurreptitiouſly Ordained thro' Ignorance, are allowed to continue in their preſent Order, but not to be promoted. The Biſhops that Ordain ſuch for the future, are threatned with a Sentence from the Apoſtolical Chair.

DECREES of Pope *Innocent*, who was Pope about the Year 404. Collected by the ſaid *Dionyſius Exiguus*.

THERE is little doubt to be made but that this Decretal Epiſtle of *Innocent* is ſpurious, and the work of

of a later Hand, as has been obſerved by Learned Men. However, 'twas forged before the Time of *Dionyſius Exiguus*, for he thought it to be Genuine.

See Dr. *Cave* Hiſt. Lit. in Vit. Innoc.

In his Preface he tells *Decentius* Biſhop of *Eugubium*, that the Traditions of *Peter* to the Church of *Rome* ought to be obſerved by all, and ſwaggers like a true Pope.

1. He ſays the Kiſs of Peace is to be given after the end of the Myſteries, not before, becauſe thereby every one gives his Conſent to all that is done.

2. That the Oblations muſt firſt be made, then the Names of thoſe who bring them be recited, not before.

3. That none but Biſhops ought to Anoint the Forehead of thoſe that have been Baptized, *i. e.* to Confirm.

4. That the *Sabbath*, i. e. *Saturday*, ought to be Faſted.

5. That Leaven'd Bread ought to be ſent on *Sunday* to every Title, *i. e.* leſſer Church in the City, to ſhew that the Prieſt and Congregation there Aſſembled, are in Communion with the Biſhop by the Acolyth, but not to be ſent to remote Places, becauſe 'tis a Sacrament, and the Prieſts in the Cœmeteries may make it themſelves.

Unleaven'd Bread was Conſecrated in the Euchariſt. Leaven'd Bread was Bleſſed by the Biſhop, and ſent to the other Churches in the City

City as a *Tessera* of Communion. See *Binius in Not. ad Conc. Laod.* 'Tis called a Sacrament in a large Sense, *viz.* as 'twas a Sign of Charity.

Cœmeteries, that is Places where Martyrs were Buried in the Country, and which had Priests attending at them.

6. Baptized Persons being possessed with an Evil Spirit may be consigned, or have Hands laid on them by the Priest, or other Clergy-men, if the Bishop be at a distance, but not without the Bishop's Order.

7. That it is the *Roman* Custom to absolve Penitents on *Maundy Thursday*; but if the Penitent be very earnest, and fall sick, it may be done before.

8. That the Bishop only has Power of making the Oil for Anointing sick Persons, and that he may use it himself, when the sick Party is near him; but Priests are mention'd, *Jac.* V. because the Bishop may be at a distance, and even Lay-men may Anoint with it; but it belongs not to Penitents; for it is a sort of Sacrament.

Second Epistle to Victricius *Bishop of* Rouea *in* Gallia.

9. That no Bishops ought to Ordain a Bishop without the Knowledge of the Metropolitan, according to the Council of *Nice*, Can. 4.

10. He, who after Baptism has been a Soldier, is prohibited Orders. That Disputes between Clergy-men must be determin'd

min'd by the Biſhops of the Province; but greater Cauſes are referr'd to the See of *Rome*, after the Determination of the Biſhops, as the Synod has Decreed; *i. e.* the Synod of *Sardica*.

11, 12. That no Clergy-man Marry a Widow; that he who did it even before Baptiſm, cannot be Ordained; for, tho' Baptiſm blot out Sin, yet diſſolves not the Marriage of a Wife.

13. The Caſe is the ſame, if he have ſucceſſively Married two Wives before Baptiſm.

14. That none ordain a Clergy-man belonging to another Biſhop, unleſs at his particular Requeſt, nor receive a Clergy-man belonging to another Biſhop, according to the Synod of *Nice*.

15. That *Novatians* and * *Montaniſts* be not Re-baptized upon their Converſion, but be received by Impoſition of Hands: That they who have Apoſtatized from us to them be received, after they have made Satisfaction by long Penance.

* This is contrary to *Can.* 7th of *Conſtantinople*.

16. That Prieſts and Deacons do not cohabit with their Wives.

17. A Monk being † Ordained, muſt yet keep his Reſolution [of Cœlibacy.]

† *i. e.* having received any of the Inferior Orders, which were conſiſtent with Marriage in all but Monks.

18. That

18. That they who have Places at Court be not Ordained; for the Emperor often demands ſuch back from the Church, and they are employed, or are forced to be preſent at Theatrick Shows.

19. A Veiled Nun afterwards Marrying, muſt not be admitted to Penance, till he to whom ſhe Married, die.

20. A Virgin that was not Veiled, but only pretended a Reſolution of Virginity, muſt be ſome time under Penance.

3d Epiſtle to *Exuperius*, Biſhop of *Tholouſe*.

21. Renews the 6th of *Siricius*, concerning Clergy-men that uſe their Wives; but will not allow 'em that Privilege there mentioned, if they knew of *Siricius*'s Decree.

22. They that, ſince Baptiſm, have gone on in a continued Courſe of Incontinence, are allowed the Communion at the hour of Death, tho' of old they were only allowed Penance at that time.

23. To the Queſtion, Whether they who have ſince their Baptiſm condemn'd Men to the Rack, or to capital Puniſhments ſhould be cenſured? Tis anſwered, Our Fathers determined nothing in this matter; and that to do ſo againſt evil Doers, is allowed by God.

24. Husbands frequently convict their Wives of Adultery before the Prieſts, and afterwards forbear to co-habit with them; but Women co-habit with their Adulterous Husbands: Yet the Chriſtian Religion equally

qually condemns Adultery in both Sexes, therefore the Husband ſhall be ſeparated from his Wife upon Diſcovery of his Crime.

25. That they who demand the Blood of another for any capital Crime, if he be upon Trial found guilty, are not to be blamed.

26. He, or ſhe, who being divorced Marries another, and even the Party who Marries one that is divorced, commits Adultery, and is Excommunicated; but not the Parents or Relations of ſuch Parties, except they were Procurers of ſuch Marriage.

This was in Anſwer to a Queſtion put by *Exuperius*, as *Innocent* intimates, *de his requiſivit dilectio tua, qui interveniente repudio, alii ſe matrimonio copularunt*; ſo that it was a Caſe not ruled, but where *Exuperius* was at a loſs.

27. The Canon of Scripture according to the preſent Canon of the Church of *Rome*.

Epiſtle to *Felix* Biſhop of *Nuceria*, *Innocent* calls himſelf the Head and Top of Epiſcopacy.

28. He who wilfully cuts off the leaſt part of his Finger, is not to be admitted to Orders; and if he is a Clergy-man, is Depoſed: but not if it be done by Accident, or in doing Work of Husbandry.

29. That no one twice Married be admitted to the Clergy, nor he who Marries a Widow.

See *Decr.* 11, 12.

30. That

30. That none is born a Clergy-man: That Soldiers, Pleaders, Stewards and Courtiers ought not to be Ordained, if they have been ſuch ſince their Baptiſm.

31. Lay-men Married at the time of their Baptiſm, if they have not kept Whores or Concubines, and be of good Reputation, may be Ordained.

32. That none be Ordained in haſte, nor made Deacons or Prieſts before they have been a good while in the Inferior Orders.

To Maximus *and* Severus, *Biſhops of the* Brutij.

33. That they who have had Children ſince they were Prieſts, be Depoſed. He wonders that the Biſhops ſhould connive at ſuch.

To Agapitus, Macedonius, *and* Marianus, *Biſhops of* Apulia.

34. That none be Ordained (eſpecially Prieſts or Biſhops) who have been under Penance, or under great Crimes, according to the Council of *Nice*.

See *Can. Nic.* 10. tho' that ſpeaks only of ſuch as had laps'd.

35. To Seven Biſhops of *Macedonia*, againſt Two Biſhops, whoſe Crimes are not mention'd.

36. To

36. To *Florentius*, Biſhop of *Tiburtum*, for having invaded a Pariſh belonging to another Biſhop; he charges him to relinquiſh it, or to Anſwer it after *Eaſter*.

37. That one *Urſa* having been taken Captive, and her Husband during her Captivity Married to another Woman, *without being Divorced from* Urſa, he ought to take his firſt Wife.

38. A ſhort friendly Letter to *Aurelius* of *Carthage*, and *Auguſtine* of *Hippo*; by *Germanus* a Prieſt.

39. Another to *Juliana* a Lady.

40. To *Aurelius* of *Carthage*, concerning *Eaſter-Day*, as it happened that Year. He thinks *March* 22d. too early, the 29th too late; but rather inclines, that it ought to be obſerved on the 22d. Day, and referrs it to *Aurelius*, and his Council, to deliberate, whether he were in the right, or not, and to notifie their Judgment to him, that he might, according to Cuſtom, preſcribe the Day.

41. To *Boniface* a Prieſt, for ſettling a Correſpondence between the Biſhop of *Antioch* and *Rome*.

42. To *Alexander* Biſhop of *Antioch*, to the ſame purpoſe.

43. To Biſhop *Maximianus*, complaining of *Atticus* Biſhop of *Conſtantinople*.

44. To *Alexander* Biſhop of *Antioch*, intimating a firm Correſpondence and Union between theſe Churches; Subſcribed by 20 *Italian* Biſhops.

45. That

45. That the Synod of *Nice* honoured *Antioch*, not for the greatneſs of the City, but becauſe St. *Peter* had his See firſt in that City, magnifies the Canon of *Nice*, which made the Biſhop of *Antioch* the chief of a Dioceſe, [that is, a Patriarchate] not of a Province; adviſes him to aſſume the Ordination of all Biſhops, and not only Metropolitans, or however, that none be Ordained without his Conſent.

46. When a Province is divided by the Emperor, there ſhall ſtill be but One Metropolitan, againſt the *Cypriots*, for Ordaining Biſhops without conſulting others.

'Tis plain, that *Innocent*, to gratify *Alexander*, was willing to give up the *Cypriotick* Privileges. See *Can. Eph.* 8.

47. That Baptiſm conferr'd by *Arians* is good, but not Orders.

48. To *Acacius* Biſhop of *Beræa*, in favour of *John (Chryſoſtome)* Biſhop of *Conſtantinople*.

49. To *Laurentius*, a Biſhop, that the Defenſors of the Church ſhould drive away the *Bonoſians*, a groſſer Sort of *Arians*.

50. To *Martianus*, a Biſhop, that they who were Ordained by *Bonoſus*, before his Condemnation, be continued in the Clergy.

51. In his Preface to the Biſhops of *Macedonia*, he mentions *Vitalis* an Arch-Deacon, who brought Letters from them to him. He thinks they do wrong to the Apoſto-

Apoſtolical See, which he calls, the Head of the Churches: In doubting whether they ſhould ſubmit to his former Deciſion, adds, that he who has Married a Widow be not admitted to Inferior Orders, which he ſays, was the Cuſtom both of the Eaſt and Weſt; wonders that they ſhould permit ſuch Men to be Biſhops, and plead *Cuſtom* for it.

52. Renews the 15th Decree.

53. That Ordinations by Hereticks are not valid; and that Ordination by the Orthodox do's not purge Men from former Crimes.

54. That tho' ſome Ordained by *Bonoſus* had been received, for the avoiding inconveniency, yet this ought not to be drawn into Precedent: For it was done for the ſame reaſon that the greateſt Crimes are pardon'd, when the Generality of the People are Guilty.

55. His Infallibility-ſhip owns it to be true which the *Macedonian* Biſhops had ſaid, *viz.* that the Apoſtolical See had been impoſed upon by falſe Suggeſtions, in condemning one *Photinus*, (*not the Heretick*) and that therefore he yields, that he be reſtored: But that he can by no means conſent to the Depoſition of *Euſtathius* the Deacon.

The

The DECREES *of* Zozymus, *Biſhop of* Rome, *A. D.* 417.

1, 2. TO *Heſychius* a Biſhop of *Salonæ*, in *Dalmatia*. I ſuppoſe he wonders that *Heſychius* has not received the Statutes of him, and his Predeceſſors; orders that none be admitted Deacons till they have firſt been Readers, Exorciſts, Acolyths, and Sub-deacons, under pain of being Depoſed by the Apoſtolical See.

3. That he who has been liſted in the Clergy from his Infancy, continue Reader till he be Twenty Years Old: if he be full grown when he comes over to the Church, he muſt from the time of his Baptiſm be a Reader or an Exorciſt for Five Years, an Acolyth or Sub deacon Four, a Deacon Five, and then a Prieſt, afterward a Biſhop; but upon condition that he were never twice Married, nor was a Penitent. And the Defenſors of the Church, who are Lay-men, muſt obſerve the ſame Order, if they will be admitted into the Clergy.

4. To the Prieſts and Deacons of *Ravenna*, againſt thoſe who apply themſelves to the Court of the Emperors, in oppoſition to him; he declares ſuch audacious Diſturbers of the Peace to be Anathematized.

The DECREES *of* Boniface *Biſhop of* Rome, *A. D.* 419.

1. IN a Letter to *Honorius* the Emperor, he complains of Parties made among the Clergy and People, for the Election of a new Biſhop, on occaſion of his Sickneſs, which he fears may divide the Church.

2. *Honorius* Anſwers, That if *Zozymus* die, which he deſires not, all the Clergy are to know, that no Sollicitations are to be uſed; that if there ſhall be a double Election, neither ſhall ſtand; but only ſuch a one as is unanimouſly choſen out of the Clergy.

3. To the Biſhops of *Gallia*, and the Seven Provinces, againſt *Maximus* a Biſhop, accuſed of Manichæiſm; that if he refuſe to plead his Cauſe before the Synod, he be Condemned; and that it was neceſſary that the Biſhop of *Rome* confirm what they do.

4. To *Hilary* Biſhop of *Narbon*, That one *Patroclus* had Ordained a Biſhop to a See in *Hilary*'s Province, without his conſent: therefore he bids *Patroclus*, according to the *Nicene* Canon, to go to the vacant See, and proceed to a new Conſecration; and report what he has done to the Apoſtolical See.

The DECREES *of* Cœleſtine *Biſhop of* Rome, *A. D.* 429.

1. TO the Biſhops of *Gallia*, That they check the Impudence of their Prieſts, for undertaking to Preach in oppoſition to their Biſhops.

2. An honourable Character of St. *Auſtin.*

3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13. Are Aſſertions of the Catholick Doctrine, in oppoſition to *Pelagius.* He proves the neceſſity of Divine Grace, particularly from the Exorciſms, and Exſufflations made by the Prieſt on Perſons to be Baptized. *Decree* 12th.

14. To the Biſhops of *Vienne* and *Narbon*, againſt ſome Prieſts that in officiating uſed the Pallium, and girded their Loins, rejecting the old Habit. He adds, that Clergy-men are to be diſtinguiſh'd from the Laity rather by their Doctrine, and Manners, than their Habit.

15. That Penance is not to be denied to any at the Point of Death.

16. That Clergy-men ought gradually to be admitted to the Superior Orders, not Lay-men, eſpecially not Criminals.

17. Renews the 4th Decree of *Boniface*; and further, forbids Strangers to be Ordained Biſhops, to the excluſion of the well-deſerving Clergy of every City.

18. No one to be Ordained Biſhop without conſent of Clergy, and People. A Stranger may be Ordained if, which is ſcarce credible, there be none fit in the City. If Clergy-men are oppreſſed, or their Salary withdrawn by the Biſhop, they ought to have a fair Trial, as likewiſe if any one be thruſt upon them by indirect Practices.

19. Againſt the Ordination of Lay-men, or ſuch as have been twice Married, or Married Widows, or Criminals, who are all to be Depoſed if they be Ordained.

20. To the Biſhops of *Calabria* and *Apulia*, that no Prieſts be permitted to be ignorant of the Canons, or break them.

21. Againſt Ordaining Lay-men Biſhops.

22. That the People are to be taught, not obeyed, and they that will not ſubmit to Exhortation muſt be cenſured.

DECREES *of Pope* Leo, *A. D.* 444

1. TO the Biſhops of *Italy*, againſt Ordaining Men who are Qualified neither by Birth nor Manners; and ſuch as never could Purchaſe Liberty from their Maſters by their own Merits; but were Ordained Prieſts while they were Slaves. He complains that a wrong is done to the Maſters of ſuch, becauſe their right to them is annulled.

2. Againſt

2. Againſt Ordaining thoſe that have been twice Married, or have Married Widows.

3, 4, 5. Againſt Uſury both in Clergymen and Lay-men; that Clergy-men ſhall not exerciſe Uſury in another's Name, upon pain of Depoſition.

6. To the Biſhops of *Italy*; of his having detected and expelled out of *Rome* many *Manichæans*; exhorting them to the ſame diligence in their ſeveral Sees.

7. To the *Sicilian* Biſhops, againſt Baptizing on the *Epiphany*.

See Decree 2. *Siricij.*

8. That the occaſion and order of the Feſtivals in Honour of Chriſt ought to be obſerved. He mentions the Annunciation, the Nativity, Circumciſion, Purification, or Preſentation of Chriſt.

9, 10, 11, 12. That the Death and Reſurrection of Chriſt is repreſented in Baptiſm: That the Trine Immerſion repreſents our Saviour's being Three Days in the Grave; that therefore *Eaſter* is the proper time of Baptiſm, or *Whitſuntide* for them who could not receive it at *Eaſter*: That we have the Example of St. *Peter*, *Act.* 2. for doing it at *Whitſuntide*, and the Authority of the Church for both times: but in caſe of neceſſity it may be done at any other time.

13. That becauſe by the Decree of the Fathers, Synods are to meet twice Yearly,

(Can. Nic. 5.) therefore you are to send Three of your Brothers to *Rome*, the Third of the Kalends of *October*.

14. To *January* Bishop of *Aquileia*, that they who fall into Heresy, and return again, be not received without Recantation: That Clergy-men in such Case condemn not only the Error, but the Authors of it: That if they have not been deeply touched, they may retain the Orders they had amongst the Hereticks, but no hopes of Promotion.

15. To *Rusticus* Bishop of *Narbon*, He mentions Letters brought by an Arch-Deacon, that they are not to be reckoned Bishops, who are not Chosen by the Clergy, nor required by the People, nor Consecrated by the Comprovincial Bishops, according to the Judgment of the Metropolitan: And who can doubt, that he who cannot prove, that ever he had Orders given him, can conferr none upon others: yet if any Clergy man have been Ordained by a Bishop that came in irregularly in [other] Churches, with the consent of the Bishops and Presidents, (I suppose he means Priests) the Ordination is good.

16. Priests and Deacons cannot be receiv'd as Penitents, by Imposition of Hands; but if guilty of any Crime, they must desire a pirvate retreat, where they may make Satisfaction.

17. Dea-

17. Deacons, as well as Biſhops and Prieſts, muſt forbear all Conjugal Embraces, but not diſmiſs their Wives.

18, 19. If a Clergy-man Marry his Daughter to one that before kept a Concubine, (that is, a Woman not ſolemnly Married, by reaſon that ſhe is not a Free Woman, or equal to the Man, or legally endowed) it is not to be taken as if he Married her to one that had a Wife before; for to eject a Slave, and take a Wife free-born is not a double Marriage, but an Improvement in what is commendable; the Inconſiderateneſs of ſuch is to be blamed, but not wholly given over.

20, 21. They that being Excommunicated, die in that Condition, are to be left to the Divine Judgment; but we cannot Communicate with them, when dead, whom we did not Communicate with while living: They might deferr their Penance, not out of Contempt, but fear of ſinning more grievouſly; therefore, tho' they have delay'd, let not Penance be denied, when ask'd.

22. Penitents ought not to ſue others for Debts in the Temporal Courts, but only in the Eccleſiaſtical.

23. Penitents ſhould rather be great Loſers, than go on in their Dealings and incur thoſe Temptations which attend Buying and Selling.

24. 'Tis contrary to Eccleſiaſtical Rules for a Penitent to return to Worldly Buſineſs.

25. Yet if any Young Man, after having done Penance for Incontinence, upon account of ſome danger of Death or Captivity, and do afterwards Marry to avoid Fornication; this is Venial.

26, 27. Monks Marrying are put under Penance, and ſo are Nuns, if they have declar'd their purpoſe of Virginity, and taken the Habit, tho' they be not Conſecrated.

28. If it do not evidently appear, that any Perſon has been Baptized before, and the Party himſelf cannot remember his Baptiſm, let him be Baptized.

29. They who know that they have been Baptized, but know not of what Faith they were who Baptized them, let 'em be receiv'd by Impoſition of Hands.

30. They who have only eaten things offered to Idols, may be reconciled by Faſting and Impoſition of Hands: They who have worſhipp'd Idols, or committed Murder or Fornication, muſt not be received till after publick Penance.

31. To *Anaſtaſius*, Biſhop of *Theſſalonica*: He tells him, that he and his Predeceſſors have always acted as Deputies to the Biſhop of *Rome*: He reprimands him for being too ſevere upon *Atticus*, Metropolitan of the old *Epirus*; for he tells him he muſt act, not as one that has the Plenitude of Power, but as one ſubſtituted under him.

Pope *Leo* was one that very much ſtudied the enlarging of his Juriſdiction, and in this Epiſtle would have it thought that He had an Authority over

over the Biſhop of *Theſſalonica*, and all the Biſhops ſubject to him. The *Greeks* deny all this: They own indeed that the Biſhop of *Theſſalonica* was often Legate for him of *Rome*, in tranſacting ſuch Affairs as he had in the Eaſt, and ſo (they add) was ſometimes the Biſhop of *Corinth*, *Athens*, *Crete*, &c. but they deny that ever the Biſhop of *Rome* had directly or indirectly any Authority over the Biſhop of *Theſſalonica*, or thoſe ſubject to him; or that the Ordination of the Biſhops of this Country belonged to the Pope of *Rome*. But let it be ſuppoſed that the Biſhops of *Theſſalonica* did within their Juriſdiction act as the Pope's Deputies, which is what *Leo* would have, let our Modern Papiſts produce any ſuch Claim made by any ancient Pope in relation to the four Patriarchates; let them make it appear, that any Biſhop of *Rome* did in the 4th or 5th Century pretend that the Patriarchs of the Eaſt were his Repreſentatives in their ſeveral Dioceſes; and if they cannot produce any Inſtance of this ſort, as it is clear they cannot, then it follows, that it was peculiar to the Biſhops of *Theſſalonica*, that they were the Pope's Legates in *Greece*, and that the Patriarchs acted Independently of the Biſhop of *Rome*, which is an effectual Confutation of the Pope's Univerſal Monarchy.

32. That the Rights of Metropolitans be obſerved.

33. Againſt Ordaining thoſe to be Biſhops that have Married Widows, or twice, or Lay-men, or Novices.

34. That Sub-Deacons refrain from their Wives.

35. Let him be Biſhop who is choſen unanimouſly by Clergy and People. Let

the Metropolitan give Judgment for him who has moſt Votes and Merits; but ſtill ſo, that no one be put upon People contrary to their Wills.

36. That Elections of Biſhops are to be reported to the Biſhop of *Theſſalonica*, and confirmed by him without delay, or difficulty; and ſo muſt thoſe of Metropolitans, who are to be Elected in the Metropolis, out of the Prieſts or Deacons.

37. Requires two Annual Synods, that Criminal Matters, which cannot be determin'd in Provincial Synods, be laid before the Biſhop of *Theſſalonica*; and if he can't end them, then before the Biſhop of *Rome*.

38. Againſt Tranſlation of Biſhops to greater, or richer Sees.

See *Can. Sard.* 1. *Ant.* 21.

39. That the Metropolitan compel ſtroling Clergy-men to their Churches, and the Biſhop of *Theſſalonica* thoſe that are gone into another Province.

40. The Metropolitan is to call 2 Biſhops at his Diſcretion, not more, out of every Province, to go to the Biſhop of *Theſſalonica*'s Synod, upon any great Occaſion.

41. That Biſhops be not kept in Synod above 15 Days after the Day appointed for their Aſſembly. If the Biſhop of *Theſſalonica* can't concurr in Judgment with the reſt of the Synod, that the Matter be reſerved to be decided by the Pope. He draws a Scheme

a Scheme of Government, *viz.* a Metropolitan preſiding over the Biſhops of a Province, the Biſhop of the greateſt City in the Country over the Metropolitans, by whom the Affairs of the Univerſal Church are to be centred in the *Onely Chair of* Peter.

42, 43, 44, 45. To *Nicetas* Biſhop of *Aquileia*: That Women, whoſe Husbands being taken Priſoners of War, remained ſo long abſent that they were thought to be dead, and thereupon Married other Men, are not to be blamed, but are to return to their former Husbands (under pain of Excommunication) if they require them; but they who Married them are not to be blamed.

46. That they who being under Captivity eat things offered to Idols through Miſtake or Hunger, are not to be blamed.

47, 48. That they who thro' Error or Ignorance have been Re-baptized by Hereticks, be receiv'd (after Penance, which is to be injoin'd at the Diſcretion of the Biſhop) by Impoſition of Hands.

49. A tedious Letter to the Biſhops of *Mauritania Cæſarienſis*, againſt Ordaining thoſe that had Married twice, or a Widow; or that had divorced one and Married another; and thoſe who were Ordained Biſhops from being Lay-men; againſt erecting Biſhopricks in Garriſons and little Towns. Maids that have been forced are not to be reckoned Widows, nor admitted Nuns; but

but if they had reserved their Reputation, allow'd Communion. Orders that *Lupicinus*, who had appealed to *Rome* upon an Excommunication passed at home, have his Cause heard over again: Complains that one had been elected Bishop over *Lupicinus*'s Head: Charges that they give him an Account of all Proceedings, that what is well done may be confirmed by him.

The DECREES *of* Gelasius, *Bishop of* Rome, *A. D.* 492.

1. TO the Bishops of *Lucania*, *Brutij*, *Sicily*. That if Discipline be not moderated in regard to the Clergy, there will not be enow left to supply the Necessities of the Church, especially now after the Wars and Famine, and the Poverty of some Churches.

2. Let the Ancient Discipline be preserved as much as possible, and none be Ordained but he that is free from all grievous Crimes; and if he be a Monk and have not Married a second time, nor one deserted by her Husband; if he never were a Penitent, and be not maim'd in any part of his Body; nor a Slave, or under the power of another; if he be not an Attendant at Court, but have his Letters of Dismission; after he has been a Reader, or Notary, or Defensor 3 Months, let him

him be an Acolyth, eſpecially if he be of Age; in the 6th Month a Sub-Deacon; and, if he behave himſelf modeſtly, in the 9th a Deacon, and at the end of the Year a Prieſt, for his devout purpoſe (*viz.* of a Monaſtick Life) compenſates for the defect of longer Intervals.

3. That mere Lay-men (not Monks) be not admitted Prieſts under a Year and half, and this only in Churches that have loſt a great part of their Clergy, and on the Conditions mention'd in the former Canon. *Let no man preſume to violate the Rights of others [by ordaining Slaves] without the juſt Order of the Apoſtolical See.*

4. Let none dare to Conſecrate a New Church, or take a Clerk that is under the power of another, without a Precept according to Cuſtom [from the Biſhop of *Rome*, as the Title of the Canon intimates.]

5. That nothing be demanded for Baptiſm, or Conſigning the Faithful, *i. e.* Confirmation: They that do it, let them forbear, at the peril of loſing their Dignity.

6. That Prieſts do neither make the Criſm, nor conſign, nor in preſence of the Biſhop pray, nor perform any religious Act, nor ſit, but at the Biſhop's Command, nor handle the Holy Myſteries, nor create an Acolyth, or Sub-Deacon without him, upon pain of Depoſition and Excommunication; and that it is the fault of Biſhops if they connive at ſuch Preſumption.

7. That

7. That no Deacon attempt any thing contrary to the Canons; nor to Baptize without a Biſhop or Prieſt, unleſs in caſe of Extremity, when the Biſhops and Prieſts are at a great diſtance; in which Caſe Lay-Chriſtians are for the moſt part allow'd to do it.

8. That Deacons continue not in the Presbytery in time of Divine Service, nor when there is any Eccleſiaſtical Debate, (*tractatus*) nor * *do firſt take or give* the Holy Body, unleſs in Abſence of Biſhop and Prieſt.

* *Prærogationem Sancti Corporis exercere.* This ſuppoſes that the Euchariſtical Elements were reſerved.

9. That Rules of Diſcipline are not to be broken without neceſſity; and that none ought to reject that Obſervance which the See of *Peter* follows and teaches.

10. The ſame with the 2d of *Siricius* againſt Baptiſm, except at *Eaſter* and *Whit-ſuntide.*

11. Times of Ordination for Prieſts and Deacons are only in the Faſt of the 1ſt, 4th, 7, and 10th Month (further on the Day that *Lent* begins, and on the *Mid-lent Day)* on the *Sabbath-Faſt* about Even-tide. That no Prieſt or Deacon be permitted to take place of another Ordained before him upon any Conſideration whatever.

12. That Virgins be not Veiled but on *Epiphany*, on the *Albis Paſchalibus*, or the Na-

Nativities of the Apoſtles, except in caſe of extreme Sickneſs.

13. Againſt Veiling of Widows.

14. Againſt thoſe Biſhops, Prieſts, Deacons, and Superiors in Monaſteries, who retain thoſe that are Slaves, or under the power of others, without a Teſtimony under the Hand of their Maſters, in order to make them Clergy-men or Monks, at the peril of the loſs of their Dignity.

15. That Clergy-men forbear diſhoneſt Traffick and filthy Gain.

16. That illiterate Men, and ſuch as are defective in any part of the Body, be not Ordained: They that are Ordained, to continue in their preſent Order.

17. That they who make themſelves Eunuchs be Depoſed from the Clergy.

18. That Criminals be not Ordained; or if they be, let them be Depoſed.

19. The ſame is ordered in relation to Demoniacks.

20. They that defile Sacred Virgins, not to be admitted to Communion but at the hour of Death.

21. Repeats, and vehemently inculcates the 13th againſt Veiling Widows.

22. Lay-men may Marry a ſecond time, but not be Ordained after it.

23. Againſt Clergy-men's leaving their Church without Cauſe, and they who receive them.

See *Nic. Can.* 15, &c.

24. They

24. They that ſell, or purchaſe Orders, are under the ſame Condemnation with *Simon Magus.*

25. Reinforces the 4th, againſt Conſecrating Churches without the leave of the Apoſtolical See, eſpecially becauſe he heard they were Conſecrated in the Name of any Dead Perſons, * and thoſe *not altogether ſound in the Faith.* He threatens ſuch as were diſcovered to be guilty of ſuch Villany with the utmoſt Severity.

* *Nec omnino fidelium.* I ſuppoſe he means that they ought to be Dedicated in the Name of ſome Saint only.

26. Againſt Women's tending at the Altar.

27. The Revenue of every Church, and the Oblations, are divided into four Portions, one for the Biſhop, a ſecond for the Clergy, a third for the Poor, a fourth for the Fabrick.

28. He that ſuppreſſes any Fault, and does not inform the Apoſtolical See of any Exceſs committed by Biſhop, Prieſt, or Deacon againſt theſe Decrees, is an Enemy to the Holy Order.

DECREES *of* Anaſtaſius, *Biſhop of* Rome, *A. D.* 498.

TO *Anaſtaſius* the Emperor. In the Preface he notifies his Acceſſion to the Apoſtolical See, and prays that the Chair of *Peter* may have its Primacy in the Univerſal Church; commends the Emperor for obſerving the Canons as ſtrictly as the beſt Prieſts.

1, 2, 3. He prays for the Peace of the Church, declares againſt judging any Man, yet prays that *Acacius* his Name may not be mention'd in the Church; and that all Contention be laid aſide.

Acacius his greateſt Crime was, that being Biſhop of *Conſtantinople*, he had diſputed the Point of Supremacy with *Simplicius* and *Felix*, *Anaſtaſius*'s Predeceſſor; for which he had been Anathematized by *Felix* in a Synod at *Rome*. *Acacius* before his Death had expunged *Felix's* Name out of the *Diptychs* of the Church of *Conſtantinople*; and *Anaſtaſius* deſires that *Acacius* might be treated in the ſame manner.

4, 5. That the Emperor would reduce the *Alexandrians* to the Catholick Faith; and that the Apoſtolical Precepts of the Pope may be obey'd.

6, 7, 8. That Baptiſm, and Orders given by *Acacius* after his Condemnation be good and valid.

Here ends the Collection of Dion. Exiguus.

The reſt were afterwards added by another Hand.

The

The RULES *of Pope* Hilarus, *Anno Dom.* 465.

THE Reader is to obſerve, that there is great Reaſon to ſuſpect whether the following Decrees were ever paſſed by them whoſe Names they bear: There is no cauſe to doubt, but that *Dionyſius Exiguus*, a very Inquiſitive and Learned Man, who dwelt at *Rome* and was a Courtier, would have inſerted them into his Collection, if he had known of any ſuch extant, for all theſe Decrees bear Date before his time, except thoſe of *Gregory*.

Theſe Decrees of *Hilarus* were paſſed in an Aſſembly of 40, and more Biſhops, and *all the Prieſts*, who join with the Biſhops in giving their Acclamations as follows; *Hear O Chriſt, Long Life to* Hilary, was repeated ſix times: *Theſe things we confirm theſe we teach*, was repeated eight times: *Theſe things are to be held and obſerved*, was repeated five times: *We thank you for your Inſtruction*, was repeated ten times: *We deſire that theſe things may for ever be obſerved*, was repeated fifteen times: *For St.* Peter's *ſake we deſire it*, was repeated eight times: *Let none preſume to do this*, was repeated ten times: *He that violates theſe Decrees, ſhall find that he acts againſt himſelf*, was repeated ſeven times; and all theſe Acclamations were made at the Pope's Propoſal of renewing the Canons and Decrees againſt Or-

Ordaining those who had Married Women, that were not Virgins, or that had twice been Married, or were illiterate. The Deacons only stood by, and are not said to join in the Acclamations: Whether there were any Priests, but those of the *Roman* Church, does not appear.

After this several Letters were read from *Spanish* Bishops, written in a very servile Strain, and desiring the Pope to give his Decision in several Emergencies that had happened in their Country. The Notary in reading of them is several times interrupted by the Acclamations of the Bishops and Priests. The Pope had a Letter ready drawn, in his own Name only, containing the following Resolutions: In the second he tells the *Spaniards*, that the Decrees had been read in a *Convention of his Brethren met together to celebrate his Birth-Day*; yet by the List of Bishops some appear to have come from *France*, others from *Africk*. They who gave these Resolutions the Title of *Decrees* were much in the right; the Assembly deserves not the Name of a Synod.

1. That none be Ordained Bishop without Consent of the Metropolitan.

2. That no Bishop leave his own Church and go to another.

3. That no See be thought Hereditary, or at the Disposal of the Predecessor.

4. That no one who has Married a Widow, or more than one Virgin, or a Woman divorced by another Man, be made Bishop.

5. That

5. That there be not 2 Biſhops in one City; none that is illiterate, maimed, or that has been a Penitent, be received into the Sacred Miniſtry.

6. That if *Irenæus*, who was made choice of for a Succeſſor by *Nundinarius*, late Biſhop of *Barcinona*, do not return to his former Church, which was Erected by general Conſent, in a place formerly belonging to the Church of *Barcinona*, he ſhall be Depoſed.

The DECREES *of* Simplicius, *Biſhop of* Rome, *A. D.* 475.

481. 1. IS an Objurgatory Letter to *John*, Biſhop of *Ravenna*, for having by Force Ordained one *Gregory* Biſhop of *Modena* againſt his Will. He declares that if for the future he Ordain either Biſhop, Prieſt or Deacon in this manner, he will deprive him of the Ordination of the Church of *Ravenna*; yet he will have *Gregory* continue Biſhop.

475. 2. He tells *Florentius*, *Equitius*, and *Severus*, 3 Biſhops, that he has deprived one *Gaudentius*, Biſhop of *Auſin*, of his Power of Ordaining, becauſe of his Abuſe of it; and that he has Commiſſion'd *Severus* to Depoſe the Clergy-men irregularly Ordained, and to Ordain others; and that *Gaudentius* having taken more than his Share of

of the Oblations, was for the future to have but a 4th Part; 2 other Parts being reſerved for the Poor, Strangers, and Fabrick, and to be Paid by *Onager* the Prieſt, at the peril of his Order; and the remaining Part to the Clergy, according to every one's merits: And that he be obliged to reſtore the Goods of the Church which he has Alienated, and the 3 Parts of the Oblations which he had detained for 3 Years paſt, for his own uſe.

The DECREE *of* Felix *Biſhop of* Rome, *A. D.* 487.

FELIX having about him 42 Biſhops, 76 Prieſts, and I know not how many Deacons, complains of the Practice of Re-baptization in *Africk*, and *that ye may know our Judgment in theſe Matters, let*, ſays he, *what we have determined be rehearſed:* Then *Anaſtaſius* a Deacon, rehearſes a Letter directed to the Biſhops of divers Provinces, Written in the Name neither of Biſhop nor Synod. Neither Biſhop nor Prieſt gives any conſent to what is propoſed; ſo that this muſt be owned to be a Synod of a very particular make. In the Letter 'tis ſaid, that a Difference ought to be made between thoſe who were voluntarily Rebaptized, and thoſe who were forc'd to ſubmit to it: That a Bi-

a Biſhop, Prieſt, or Deacon, being Re-baptized by Hereticks, ſhall not ſo much as ſtand among the Catechumens in the Church; but only received to Lay-Communion at the Hour of Death: For it is a ſort of Apoſtacy. Therefore Clergy-men, Monks and Nuns, guilty of it, are to be treated as the *laps'd* were by the 11th *Can.* of *Nice*, which See; but may be Communicated at the Hour of Death. But they of the Clergy or Laity who were Boys, and had not got beyond the Age of Puberty, and Girls of the ſame Age, who did it by reaſon of ignorance, may be admitted to Communion, by Impoſition of Hands, after a ſhort Penance. And they may be Communicated before the time appointed for Penance be out, in caſe of danger: But if they Survive, they muſt ſpend the reſt of their time alloted for Penance among the *Co ſtanders*; according to the Council of *Nice*.

The Biſhops, Prieſts, and Deacons, give not one Huzza to this Letter; nor is it to be wondred: for ſure it is the moſt unreaſonable Deciſion that ever was, that they who, thro' miſperſwaſion had been re baptized, ſhould be treated as Idolaters.

That Catechumens Baptized under this Profeſſion be among the Hearers for Three Years before they be re-admitted to the Prayers of the Catechumens. All except Biſhops, Prieſts, or Deacons, who were forced to this after Three Years Penance, are

are admitted to Communion by Impoſition of Hands, but are uncapable of Orders. All are to take care that ſuch be not admitted to Communion, except they bring a Teſtimonial of their Reconciliation from the Biſhop of the Dioceſe, or Prieſt of the *Pariſh.*

DECREES *of* Syriachus *Biſhop of* Rome, *A. D.* 500.

HERE was a Synod of 73 Biſhops of *Italy*, 67 Prieſts, (with an Arch-Prieſt at the Head of them) and 6 Deacons; as theſe laſt were all of the City of *Rome*, ſo it is in the higheſt Degree probable that the Prieſts were ſo; ſo that the moſt to be concluded from this Precedent, is, that the Prieſts of the City where the Synod meets are to be preſent; the *Titles*, or leſſer Churches to which they belong'd, is added to every one's Name, and there is no mention of any Dioceſe or City to which they belong'd. 'Tis not at all to be wondred, that the Prieſts and Deacons of *Rome* ſhould be preſent on this occaſion; for they were chiefly concern'd in what paſſed here, *viz.* the Election of a future Biſhop.

1. If any Prieſt, Deacon or Clergy man, do's, without the Pope's leave, while he is

is alive, give or ask any Promiſe, in relation to Voting at the Election of a future Pope, or cabal or debate this matter in private Meetings; let him be deprived of his Dignity, or even of Communion: and they are Anathematized, who endeavour or attempt to ſecure a future Election in the Pope's Life-time.

2. If the Pope die of a ſudden, ſo that he have not Decreed * who ſhall be his Succeſſor; if there be one Elected by unanimous conſent, let him be Conſecrated; but if there be a Diviſion, let the Majority prevail: and let him be Depoſed, who having pre-engag'd himſelf by Promiſe, is byaſſed in giving his Vote.

* See *Decree* 3. of *P. Hilarus.*

3. If any one, being an Accomplice in any deſign of this ſort, do give Information of it, he ſhall by this means not only purge himſelf from his own Guilt, but receive a Reward.

A. D. 502. In an Aſſembly, at which 'tis ſaid there were preſent above 80 Biſhops, whoſe Names are inſerted, and near 40 Prieſts, and 4 Deacons, there was Read a *Decree*, made under Pope *Simplicius*, in theſe words, *When they were met together at St.* Peter's, *the moſt eminent Prefect of the* Prætorium, *being alſo a Patrician, and Vice gerent of King* Odacer, *by Name* Baſil, *ſaid, Tho' it greatly concerns Us, that at the Election of a Biſhop, the*

ke Peace of the Church be in an eſpecial man-
ner preſerved; yet you may alſo remember the
Admonition of the moſt Bleſſed Pope Simpli-
cius, how he did in the moſt ſolemn manner
charge, that upon his Death, No Election
ſhould be celebrated without conſulting us,
by reaſon of that tumult and damage that
has happen'd to the Church [at former Ele-
ctions]; at which Biſhop Creſconius riſes up
and ſays, Let the Holy Synod conſider how
They [meaning the King and his Repreſenta-
tive] would bring this matter under their Au-
thority, paſſing by Men of Religion, who are
chiefly concerned in Electing ſo great a High-
Prieſt. Then there is another *Decree* read
againſt alienating Church-Eſtates made by
the ſame *Baſilius*, ſeveral of the Biſhops
declare againſt it, as being made by a Lay-
Authority; particularly *Laurence* of *Milan*
declares it invalid, becauſe neither the Pope
had Subſcribed it, nor any other Metropolitan,
as the Canon requires. *Eulalius* of *Syracuſe*
declares it invalid, as made by Lay-men
who never had any Authority in Church-
Matters; and adds, If the Fathers have
Decreed, that whatever the Biſhops of any
Province ſhall attempt in a Synod of their
own, without the Conſent of the Metro-
politan, ſhould be null, how much more
a Decree made in the Vacancy of the A-
poſtolical See by Lay-men, tho' ſome Bi-
ſhops did conſent to it?

Yet after all, Pope *Symmachus* having decla-
red all done by *Baſilius*, null and of no force,
Decrees, that neither Pope, nor the Prieſt

of any Title in the City of *Rome*, do alienate any Eſtate in Lands, or Country Farms, but only ſuch Houſes in the City as were a burden to the Church by reaſon of their Reparations, and any thing of Gold, Silver, Jewels, any Goods or Chattels; it curſes all Prieſts, Deacons, and Defenſors that ſell any thing elſe, and all that purchaſe Eaſe, if they do not make ſpeedy Reſtitution; but they declare this Law ſhall be in force only in the Apoſtolical See, not in any of the Provinces.

This ſhews why the Prieſts and Deacons of *Rome* were proper Perſons to be preſent at it; yet not above 62 of the Biſhops Subſcrib'd, and ſome of them are Names not extant in the Liſt before mention'd, and which contains above 80. None of the Prieſts or Deacons Subſcribed; if they did, the Subſcriptions are loſt.

501. Pope *Symmachus* being charged with ſome Crimes, King *Theodoric* calls a Synod of above 70 *Italian* Biſhops to examine the matter; when they were met, and underſtood the Occaſion of their Aſſembly, they declare, that the Perſon accuſed ought to have Summoned them, and no one elſe; the King ſhews them the Pope's Letters, in which he ſignified his Deſire, that the Synod ſhould be called. He that deſires to ſee the further Story of this matter may conſult the Volumes of the Councils, or *Du Pin*. It is foreign to my Deſign. Only that the Synod could be brought to do nothing but referr the Cauſe

to

to God, and to charge the Senate and Clergy that they would be reconcil'd to the Biſhop; for the People kept cloſe Communion with him all this time. What his Crimes were that he was charged with, does not appear.

DECREES *(as they are called) of* Hormiſdas, *Biſhop of* Rome, *contain*

1. A Letter from *Juſtin*, Emperor of *Rome*, to *Hormiſdas*, full of good Senſe and a Chriſtian Temper; telling him that for Peace ſake the Church of *Conſtantinople* would conſent to his Demands, in blotting out of their *Diptychs* the Name of *Acacius*, and ſeveral others; but begs that others may be ſpared, eſpecially becauſe the Predeceſſor of *Hormiſdas* (*Anaſtaſius*) had demanded only that the Name of *Acacius* might not be mentioned in the Church; and he hopes by this means there will be a perfect Union between the Church of *Rome* and all Churches, eſpecially that of *Jeruſalem*, (which it ſeems moſt of all objected againſt the high Demands of *Hormiſdas*) which all, ſays he, reſpect as the Mother of Chriſtianity, (a very handſom Check to the Pretences of the *Roman* Pontiff) ſo that none dare depart from her. He deſires him to read and conſider the Propoſals of the Eaſtern Biſhops which the ſame Biſhop brought 520.

with him, that he had now ſent a Legate to *Rome*, that (ſays he) *you may give Joy to the World.*

2. Is a Letter of Report from the Clergy and Abbots of *Hieruſalem*, *Antioch*, and *Syria Secunda*; wherein they declare their Orthodoxy in adhering to the 4 General Councils, and deſire that upon this Profeſſion of their Faith they may be look'd upon as Perſons that deſire to remain in the Unity of the Church.

3. *Hormiſdas*'s Anſwer, if I may ſo call it, is very dull, and affectedly obſcure; what he ſeems to drive at is, to prove that it cannot be truly ſaid that *One Perſon of the Trinity ſuffered*, which was the Opinion of the Eaſtern Divines.

You may read the whole Hiſtory in *Du Pin*, and how *Hormiſdas*'s Craft and Addreſs prevailed againſt the Integrity and good Senſe of the Emperor and Eaſterns.

There is likewiſe a Fragment of a Letter from *Hormiſdas* to the Prieſts, Deacons and Abbots of *Syria Secunda*.

The DECREES *of* Gregory II. *Biſhop of* Rome, *A. D.* 721.

THESE were made in an Aſſembly of 22 Biſhops, (whereof one is called in the Preface, *Sedulius* Biſhop of *Britain*, the other *Fergusius* Biſhop of

of *Scotia*, that is *Ireland*; but in the Subscriptions *Sedulius* calls himself *Episcopus de genere Scotorum*, *Fergusius* calls himself *Episcopus Pictus*) 14 Priests, 1 Arch-Deacon, 3 Deacons.

The Design of this Meeting was to cure *the Italians* of their Incest.

In every one of these Decrees, or Canons, there are 3 Anathema's pronounced.

In 1. Against him that Marries a Presbytereſs. 2. Or a Deaconeſs. 3. Or a Nun. 4. Or his God-mother. 5. Or his Brother's Wife. 6. Or his Niece. 7. Or his Father's Wife or Son's Wife. 8. Or his Cousin Germain. 9. Or any of his neat kindred.

In the 10th 3 Anathema's are pronounced against him that steals away a Widow for his Wife, and his Accomplices.

In the 11th. Or a Maid, unless he have first espoused her.

12. Against Conjurers, Soothsayers, and such as wear Charms.

13. Against those that violate the Olive-Gardens, and other places (belonging to the Church) contrary to the Precepts of the Apostolical Church formerly published.

14. Against one *Hadrian*, for Marrying *Epiphania* a Deaconeſs. 15. Against *Epiphania*.

16. Against their Accomplices. 17. Against Clergy-men that wear long Hair.

Not only the Prieſts, but Deacons Subſcribe theſe Decrees, and that in the very ſame form of Words uſed by the Biſhops, and even by the Pope himſelf, *viz.* *I* A. B. *have Subſcribed this Decree promulged by us.* The leaſt that can be ſaid is, that if theſe Subſcriptions be true, Pope *Gregory* was guilty of a ſtrange Innovation in bringing Deacons to be preſent as Voters in a Synod of Biſhops. His Predeceſſors *Gelaſius* forbids them in his 8th Decree to be preſent in the Presbytery: He is ſo far from minding this, that he calls them to Vote in the ſame manner that he himſelf does in a Provincial Council. If theſe Subſcriptions be Genuine, it can be look'd upon as nothing but the aggrandizing of his own See, by making his own Clergy equal to Biſhops of other Places, as he has ſince made thoſe whom he calls Cardinals, equal to Princes, tho' many of them be but Prieſts or Deacons.

Adver-

Advertiſements to the Reader concerning the Index.

1. TO make the Book the more uſeful I have made the Index very large; and it may upon occaſion ſerve the young Reader as a Gloſſary; that is, if he meet with any Word or Phraſe not explain'd in the place where he meets it, let him turn to the Index, and there he will be referr'd to the place where it is explained.

2. The Numbers referr not to the Pages, but the Canons or Decrees.

3. When the Index referrs you to a Canon or Decree, it referrs you alſo to the Note, if there be any, belonging to that Canon or Decree.

4. Leſt you ſhould not underſtand the Abbreviatures, or not know where to find the Sett of Canons or Decrees referr'd to, you have the Abbreviatures explain'd, and the Page where every Sett begins, in the following Table.

5. If there be no Number added to the Name or Title, 'tis becauſe there is but one, or very few Canons or Decrees under that Name or Title.

6. The Words *ante* and *poſt* ſhew that the thing referr'd to is not in the Canon, or Decree itſelf, but comes immediately before, or after it.

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Country Prieſts not to officiate in the City, *Neoc.* 13.
Prieſthood diſtinguiſh'd from the Clergy, *Laod.* 27. 30. 36.
Prieſts not to go into the *Bema* before the Biſhop, *Laod.* 56.
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to do nothing without the Biſhop, *Ap.* 32. *Laod.* 57. *Gel.* 6.
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forbid Tranſlations, *Nic.* 15.
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not

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not to be preſent at a ſecond Marriage-Feaſt, *Neoc.* 7.
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Baptiſm on a ſuppoſed Death-bed incapacitates for this Order, *Neoc.* 12.
Prieſts *a latere* from the Pope, *Sard* 5.
not to Conſecrate Chriſm, *&c. Afr.* 6.
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his Office is to Bleſs, *Baſ.* 27.
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their Office not to be entailed, *Trul.* 33.
not to celebrate Baptiſm, or Eucharift in private, *Trul.* 31.
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Q

Quartodecimani, *Ap.* 5. *Laod.* 7. *Cpn.* 7.

R

Rabble, their Violence to be declined by Church Judicatures, *Afr.* 30.
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Raparees that join'd the *Goths* in their Invaſion, how to be treated, *Thaum.*
Readers, *Ap.* 19. 35. 61.
ſuppoſed ſometimes not to be adult, *Afr.* 16. *Sir.* 9.
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Recluſe, *Gan.* 9. 14. See *Monks* and *Nuns*.
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S

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Sabellians,

Sabellians, *Cpn.* 1.
Sacerdotal Catalogue, *Ap.* 43. See *Canon*, and *Prieſt.*
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none

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for reproaching the Emperor, *Ap.* 75.
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Dioceſan Synod, *Cpn.* 6. *viz.* of the whole Patriarchate.
National Synods to be held once a Year in *Africa*, 18. called a General Synod, *Afr.* 95.
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T

Temperance enjoined the Clergy, *Trul. Afr.* 3.
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if professed, and yet Married, while they were Hereticks, Catholick Baptism purges them, *Bas.* 20. See *Nuns.*
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to all Clergy-men, *Ap.* 36. *Nic.* 17. *Afr.* 5. 16. *Trul.* 10.
to Laity as well as Clergy, *Leo* 3, &c.
on what Terms they who practise it may be Ordained, *Bas.* 14.

W

Water mingled with the Eucharistical Wine, *Trul.* 32.
Weather, they who stood exposed to it, *Anc.* 27. *Nic.* 11.
Wednesday Fast, *Ap.* 61. *Pet.* 15.
Whitsuntide, Sir. 2. *Leo,* &c. See *Pentecost.*
Widow, he who Marries one uncapable of Orders, *Ap.* 14. *Trul.* 3. *& passim.*

a Custom

a Custom pleaded for Clergy-men to Marry Widows, *Innoc.* 51.
not to be Veiled, *Gel.* 13. 21.
to be protected by Bishops, *Chal.* 3. *Sard.* 7.
Wine and Flesh not to be abhorred, *Ap.* 43. 45.
Witchcraft forbid, *Bas.* 7. See *Pharmacy.*
Wife to be retained by Bishop and Clergy-man, *Ap.* 3.
not to desert her Husband on Pretence of Religion, *Gan.* 14. not to desert the Husband, *Trul.* 87. *Bas.* 35.
what if she Marry in her Husband's Absence, *Bas.* 31. 36. 42. *Trul.* 93.
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divorced for Adultery, *Bas.* 21.
yet retained their Adulterous Husbands, *Bas.* 9.
when the Clergy were to abstain from their Wives, *Afr.* 4. 25. 70. and Lay-men too, *Dion.* 3.
to be dismissed by the Clergy-men if irregularly Married, *Trul* 3.
Bishop forbid Co-habitation with her, *Trul.* 12.
of a Bishop how to be disposed of, *Trul.* 48.
Witness, who cannot be one, *Afr.* 129 131.
one not sufficient, tho' a Communicant, *Ap.* 67.
nor even a Bishop, *Afr.* 132.
Women not to be retain'd by Clergy-men under the Name of Disciples, *Nic.* 3. *Sir.* 12.
nor by other Men, or even Eunuchs, *Trul.* 5.
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procuring Abortion, how treated, *Anc.* 21. See *Abortion.*
not to Bath with Men, *Laod.* 30. *Trul.* 77.
not to speak at the Eucharist, *Trul.* 70.
not to go into the Chancel, *Laod.* 44.
espoused to one, Marrying another guilty of Adultery, *Trul.* 98.
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Woman brought to Bed and neglecting her Child, guilty of Murder, *Baſ.* 33. 52.
in Child-bed not bound to Faſt, *Tim.* 8.
Menſtruous not to come to Church, *Dion.* 2.
nor to be Baptized, or Communicate, *Tim.* 6, 7.
ignorantly Marrying a Married Man may Marry again, *Baſ.* 46.

X

XAntippus ſenex, *Aſy.* 100.

ADDENDA

ADDENDA & CORRIGENDA.

TO the Note on *Can. Ap.* 18. add, This Rule does not hold in case a Clergy-man were guilty of Heresy; for then he was both Deposed and Excommunicated. See *Can.* 43.

51.

Correct the Translation of the 23d *Apostolican Canon* thus,

If a Bishop, *&c.*—— let him be Deposed * and they who Communicate with him suspended from Communion.

* So some *Greek* Copies have it, and so runs *Dionysius Exiguus*'s Translation, and this seems most agreeable to the Discipline of that Age.

Let *Can. Laod.* 54. be thus Corrected.

That they of the Priesthood and Clergy, *&c.*—— rise up, and retire before the Masquerades enter.

Let *Can. Trul.* 24 be thus Corrected.

It forbids Horse-races and Masquerades to Clergymen, *&c.*

Θυμελικοὶ, the Word used in both these Canons does not denote Musicians, or Stage-Play Musick only; but Playing and Dancing in Masques, in the Theater, on the Θυμέλη, a Place made for this Purpose. And the *Trullan* Fathers explain Θυμελικοὶ in this Sense, by adding τὰ πρὸς ἀπάτην παίγνια, *Plays or Sports contrived for Deception*, as these Masques, or Disguises were. They were brought from the Stage into Private Houses, or however something was done in imitation of those Theatrick Shows at the Wedding-Feasts.

Therefore

Addenda & Corrigenda.

Therefore blot out those Words in the Note on *Can. Laod.* 53. viz. *to the Laity tho' not to the Clergy.* See *Can.* 51.

Let the latter Part of the 15th Decree of *Leo* be thus Corrected.

If any Clergy-men have been Ordained by Bishops who came in irregularly in those Churches, which (then) had proper Bishops, and the Ordination were perform'd by the Consent of them and the Presidents, it may be allow'd of.

Let the Words in the 3d and 4th Line of *Gregory Nazianzen*'s Canon, enclosed in Hooks, be thus read, *viz.*

[by the First Book of *Kings*, he means the Two Books of *Samuel*; by the Second of *Kings*, he means the Two Books of *Kings.*]

FINIS